

Panaji, 13th January, 2011 (Pausa 23, 1932)

SERIES II No. 42

# OFFICIAL GAZETTE

## GOVERNMENT OF GOA

PUBLISHED BY AUTHORITY

*Note:- There is one Extraordinary issue to the Official Gazette, Series II No. 41 dated 6-1-2011 namely: Extraordinary dated 11-1-2011 from pages 1017 to 1018 regarding Corrigendum from Department of Elections (Goa State Election Commission).*

### GOVERNMENT OF GOA

#### Department of Co-operation

Office of the Registrar of Co-operative Societies

#### Order

No. 62-3-88/A/TS/RCS/2723

- Read: 1) Order No. 6/9/91-PER(Vol.II) dated 26th March, 2002 by the Under Secretary (Personnel), Govt. of Goa.
- 2) Order No. 6/2/2002-PER dated 16th December, 2002 by Joint Secretary (Personnel), Govt. of Goa.
- 3) Order No. 62-3-88(A)/TS/RCS dated 30th January, 2003 from the Registrar of Co-op. Societies, Govt. of Goa.
- 4) Order No. 62-3-88(A)/TS/RCS dated 6th July, 2004 from the Registrar of Co-op. Societies, Govt. of Goa.
- 5) Order No. 62-3-88(A)/TS/RCS dated 3rd January, 2005 from the Registrar of Co-op. Societies, Govt. of Goa.
- 6) Order No. 62-3-88(A)/TS/RCS dated 13th January, 2006 from the Registrar of Co-op. Societies, Govt. of Goa.
- 7) Order No. 62-3-88(A)/TS/RCS dated 29th March, 2006 from the Registrar of Co-op. Societies, Govt. of Goa.
- 8) Order No. 62-3-88(A)/TS/RCS dated 8th January, 2007 from the Registrar of Co-op. Societies, Govt. of Goa.

- 9) Order No. 62-3-88(A)/TS/RCS dated 20th November, 2007 from the Registrar of Co-op. Societies, Govt. of Goa.
- 10) Order No. 62-3-88(A)/TS/RCS dated 28th January, 2008 from the Registrar of Co-op. Societies, Govt. of Goa.
- 11) Order No. 62-3-88(A)/TS/RCS dated 23rd December, 2009 from the Registrar of Co-op. Societies, Govt. of Goa.

In exercise of the powers vested in me under Section 71 of the Goa Co-operative Societies Act, 2001, I, N. B. Narvekar, Registrar of Co-operative Societies, Government of Goa, hereby extend the period of appointment of Shri N. D. Agarwal, Senior Scale Officer of Goa Civil Service, presently holding the post of Director, Printing & Stationery as Administrator of Sanjivani Sahakari Sakhar Karkhana Ltd., Dayanandnagar-Goa, for further period of one year w.e.f. 01-01-2011 to 31-12-2011. The term of the Administrator is also hereby extended for further period of one year upto 31-12-2011.

N. B. Narvekar, Registrar of Co-op. Societies & ex officio Joint Secretary.

Panaji, 28th December, 2010.

#### Notification

No. 60/15/GETAS/2010-11/RCS

In exercise of the powers vested in me under Section 8(1) of the Goa Co-op. Societies Act, 2001, the Goa Eco-Tourism and Agricultural Co-op. Society Ltd., Keri, Satari-Goa has been registered under code symbol No. RCS/Others/7/2010/Goa.

P. K. Velip Kankar, Registrar of Co-op. Societies.

Panaji, 8th December, 2010.

## Certificate of Registration

The Goa Eco-Tourism and Agricultural Co-op. Society Ltd., Keri, Satari-Goa is registered on 08-12-2010 and it bears registration No. RCS/ /Others/7/2010/Goa and it is classified as "General Society" under sub-classification No. 12(c), as "Others" in terms of Rule 8(1), of the Goa Co-operative Societies Rules, 2003.

*P. K. Velip Kankar*, Registrar of Co-op. Societies.  
Panaji, 8th December, 2010.

Office of the Asstt. Registrar of Co-operative Societies

## Order

No. 4/13/81/Cons./Shantadurga/ARNZ

Read: 1) This Office Order No. 4/13/81/Cons./ /Shantadurga/ARNZ dated 12-05-1986 appointing Shri B. Y. Sawant, Sr. Auditor Co-op. Societies, North Zone, Mapusa as a Liquidator of Shree Shantadurga Consumers Co-op. Society Ltd., Bicholim-Goa.

2) This Office Order No. 4/13/81/Cons.- /Shantadurga/ARNZ dated 22-08-2006 appointing Shri Ligor Fernandes, Jr. Auditor/Inspector, Co-op. Societies, North Zone, Mapusa-Goa as a Liquidator of Shree Shantadurga Consumers Co-op. Society Ltd., Bicholim-Goa.

In partial modification of this office order cited above Shri Satish Sawant, Sr. Auditor/Inspector, Co-op. Societies, North Zone, Mapusa-Goa is hereby appointed as liquidator of the Shree Shantadurga Consumers Co-op. Society Ltd., Bicholim-Goa in place of Shri Ligor Fernandes, Jr. Auditor/Inspector with effect from the date of taking over the charge of the society.

*V. B. Devidas*, Asstt. Registrar of Co-op. Societies (North Zone).

Mapusa, 25th November, 2010.

## Order

No. 12/1/00-TS-LQD

Read: 1) This Office Order No. 12/1/00-TS-LQD dated 05-03-2001 appointing Shri B. Y. Sawant, Sr. Auditor Co-op.

Societies, North Zone, Mapusa as a Liquidator of Annapurna Labour Contract Co-op. Society Ltd., Maple, Pedne-Goa.

2) This Office Order No. 412/1/00-TS-LQD dated 22-08-2006 appointing Shri Ligor Fernandes, Jr. Auditor/ /Inspector, Co-op. Societies, North Zone, Mapusa-Goa as a Liquidator of Annapurna Labour Contract Co-op. Society Ltd., Maple, Pedne-Goa.

In partial modification of this office order cited above Shri Satish Sawant, Sr. Auditor/Inspector, Co-op. Societies, North Zone, Mapusa-Goa is hereby appointed as liquidator of the Annapurna Labour Contract Co-op. Society Ltd., Maple, Pedne-Goa in place of Shri Ligor Fernandes, Jr. Auditor/ /Inspector with effect from the date of taking over the charge of the society.

*V. B. Devidas*, Asstt. Registrar of Co-op. Societies (North Zone).

Mapusa, 25th November, 2010.

## Order

No. 1/15/65/LQD/Siolim/Vahatuk/ARNZ/83

Read: 1) This Office Order No. 1/15/65/LQD/ /Siolim/Vahatuk/ARNZ/83 dated 08-12-1983 appointing Shri B. Y. Sawant, Sr. Auditor Co-op. Societies, North Zone, Mapusa as a Liquidator of Siolim Oxel Jalvahatuk Sahakari Society Ltd., Siolim, Oxel, Bardez-Goa.

2) This Office Order No. 1/15/65/LQD/ /Siolim/Vahatuk/ARNZ/83 dated 22-08-2006 appointing Shri Ligor Fernandes, Jr. Auditor/Inspector, Co-op. Societies, North Zone, Mapusa-Goa as a Liquidator of Siolim Oxel Jalvahatuk Sahakari Society Ltd., Siolim, Oxel, Bardez-Goa.

In partial modification of this office order cited above Shri Satish Sawant, Sr. Auditor/Inspector, Co-op. Societies, North Zone, Mapusa-Goa is hereby appointed as liquidator of Siolim Oxel Jalvahatuk Sahakari Society Ltd., Siolim, Oxel, Bardez-Goa in place of Shri Ligor Fernandes, Jr. Auditor/Inspector with effect from the date of taking over the charge of the society.

*V. B. Devidas*, Asstt. Registrar of Co-op. Societies (North Zone).

Mapusa, 25th November, 2010.

**Order**

No. AR/NZ/Bandekar-Bros.Cr.Sty/03

Read: 1) This Office Order No. AR/NZ/Bandekar-Bros.Cr.Sty/03 dated 29-07-2004 appointing Shri B. Y. Sawant, Sr. Auditor Co-op. Societies, North Zone, Mapusa as a Liquidator of M/s. Bandekar Bros. Staff Co-op. Credit Society Ltd., Pale-Goa.

2) This Office Order No. AR/NZ/Bandekar-Bros.Cr.Sty/03 dated 22-08-2006 appointing Shri Ligor Fernandes, Jr. Auditor/Inspector, Co-op. Societies, North Zone, Mapusa-Goa as a Liquidator of M/s. Bandekar Bros. Staff Co-op. Credit Society Ltd., Pale-Goa.

In partial modification of this office order cited above Shri Satish Sawant, Sr. Auditor/Inspector, Co-op. Societies, North Zone, Mapusa-Goa is hereby appointed as liquidator of the M/s. Bandekar Bros. Staff Co-op. Credit Society Ltd., Pale-Goa in place of Shri Ligor Fernandes, Jr. Auditor/Inspector with effect from the date of taking over the charge of the society.

V. B. Devidas, Asstt. Registrar of Co-op. Societies (North Zone).

Mapusa, 25th November, 2010.

**Order**

No. 1/2/64-Seva/Candolim/ARNZ

Read: 1) This Office Order No. 1/2/64-Seva/Candolim/ARNZ dated 21-04-1982 appointing Shri B. Y. Sawant, Sr. Auditor Co-op. Societies, North Zone, Mapusa as a Liquidator of Candolim Agricultural Co-op. Service Society Ltd., Candolim, Bardez-Goa.

2) This Office Order No. 1/2/64-Seva/Candolim/ARNZ dated 28-03-2008 appointing Shri Ligor Fernandes, Jr. Auditor/Inspector, Co-op. Societies, North Zone, Mapusa-Goa as a Liquidator of Candolim Agricultural Co-op. Service Society Ltd., Candolim, Bardez-Goa.

In partial modification of this office order cited above Shri Satish Sawant, Sr. Auditor/Inspector, Co-op. Societies, North Zone, Mapusa-Goa is hereby appointed as liquidator of Candolim Agricultural Co-op. Service Society Ltd., Candolim,

Bardez-Goa in place of Shri Ligor Fernandes, Jr. Auditor/Inspector with effect from the date of taking over the charge of the society.

V. B. Devidas, Asstt. Registrar of Co-op. Societies (North Zone).

Mapusa, 25th November, 2010.

**Order**

No. 3/7/00-TS/LQD

Read: 1) This Office Order No. 3/7/00-TS/LQD dated 17-11-2004 appointing Shri B. Y. Sawant, Sr. Auditor Co-op. Societies, North Zone, Mapusa as a Liquidator of Canvas Shoes Co. Empl. Co-op. Credit Society Ltd., Tivim Industrial Estate, Karaswada, Mapusa-Goa.

2) This Office Order No. 3/7/00-TS/LQD dated 22-08-2006 appointing Shri Ligor Fernandes, Jr. Auditor/Inspector, Co-op. Societies, North Zone, Mapusa-Goa as a Liquidator of Canvas Shoes Co. Empl. Co-op. Credit Society Ltd., Tivim Industrial Estate, Karaswada, Mapusa-Goa.

In partial modification of this office order cited above Shri Satish Sawant, Sr. Auditor/Inspector, Co-op. Societies, North Zone, Mapusa-Goa is hereby appointed as liquidator of the Canvas Shoes Co. Empl. Co-op. Credit Society Ltd., Tivim Industrial Estate, Karaswada, Mapusa-Goa in place of Shri Ligor Fernandes, Jr. Auditor/Inspector with effect from the date of taking over the charge of the society.

V. B. Devidas, Asstt. Registrar of Co-op. Societies (North Zone).

Mapusa, 25th November, 2010.

**Order**

No. 3/69/00-TS/LQD/2002

Read: 1) This Office Order No. 3/69/00-TS/LQD/2002 dated 16-07-2002 appointing Shri B. Y. Sawant, Sr. Auditor Co-op. Societies, North Zone, Mapusa as a Liquidator of the D. B. Bhandodkar & Sons Empl. Co-op. Credit Society Ltd., Velguem-Goa.

2) This Office Order No. 3/69/00-TS/LQD/2002 dated 24-08-2006 appointing Shri Ligor Fernandes,

Jr. Auditor/Inspector, Co-op. Societies, North Zone, Mapusa as a Liquidator of the D. B. Bandodkar & Sons Empl. Co-op. Credit Society Ltd., Velguem.

- 3) This Office Order No. 3/69/00-TS/LQD/2002 dated 26-02-2010 appointing Shri Dinesh M. Kantak, Jr. Auditor/Inspector Co-op. Societies, North Zone, Mapusa-Goa as a Liquidator of the D. B. Bandodkar & Sons Empl. Co-op. Credit Society Ltd., Velguem.

In partial modification of this office order at Sr. No. 3 cited above Shri Satish Sawant, Sr. Auditor/Inspector, Co-op. Societies, North Zone, Mapusa-Goa is hereby appointed as liquidator of the D. B. Bandodkar & Sons Empl. Co-op. Credit Society Ltd., Velguem-Goa in place of Shri Dinesh M. Kantak, Jr. Auditor/Inspector with effect from the date of taking over the charge of the society.

V. B. Devidas, Asstt. Registrar of Co-op. Societies (North Zone).

Mapusa, 30th November, 2010.

#### Order

No. 2/14/00-TS/LQD

- Read: 1) This Office Order No. 2/14/00-TS/LQD dated 11-06-2009 appointing Shri Ligor Fernandes, Jr. Auditor/Inspector Co-op. Societies, North Zone, Mapusa as a Liquidator of the V. S. Dempo Surla Mines Staff Cons. Co-op. Society Ltd., Surla, Bicholim-Goa.
- 2) This Office Order No. 2/14/00-TS/LQD dated 28-02-2010 appointing Shri Dinesh M. Kantak, Jr. Auditor/Inspector, Co-op. Societies, North Zone, Mapusa-Goa as a Liquidator of the V. S. Dempo Surla Mines Staff Cons. Co-op. Society Ltd., Surla, Bicholim-Goa.

In partial modification of this office order Sr. No. 2 cited above Shri Satish Sawant, Sr. Auditor/Inspector, Co-op. Societies, North Zone, Mapusa-Goa is hereby appointed as liquidator of the V. S. Dempo Surla Mines Staff Cons. Co-op. Society Ltd., Surla, Bicholim-Goa in place of Shri Dinesh M. Kantak, Jr. Auditor/Inspector with effect from the date of taking over the charge of the society.

V. B. Devidas, Asstt. Registrar of Co-op. Societies (North Zone).

Mapusa, 30th November, 2010.

#### Order

No. 2/23/00-TS/Vol. II

- Read: 1) This Office Order No. 2/23/00-TS/Vol. II dated 11-02-2004 appointing Shri B. Y. Sawant, Sr. Auditor Co-op. Societies, North Zone, Mapusa as a Liquidator of Shri Rawalnath Sahakari Grahak Saunsta Ltd., Pernem-Goa.
- 2) This Office Order No. 2/23/00-TS/Vol. II dated 22-08-2006 appointing Shri Ligor Fernandes, Jr. Auditor/Inspector, Co-op. Societies, North Zone, Mapusa-Goa as a Liquidator of Shri Rawalnath Sahakari Grahak Saunsta Ltd., Pernem-Goa.
- 3) This Office Order No. 2/23/00-TS/Vol. II dated 26-02-2010 appointing Shri Dinesh M. Kantak, Jr. Auditor/Inspector Co-op. Societies, North Zone, Mapusa-Goa as a Liquidator of Shri Rawalnath Sahakari Grahak Saunsta Ltd., Pernem-Goa.

In partial modification of this office order at Sr. No. 3 cited above Shri Satish Sawant, Sr. Auditor/Inspector, Co-op. Societies, North Zone, Mapusa-Goa is hereby appointed as liquidator of the Shri Rawalnath Sahakari Grahak Saunsta Ltd., Pernem-Goa in place of Shri Ligor Fernandes, Jr. Auditor/Inspector with effect from the date of taking over the charge of the society.

V. B. Devidas, Asstt. Registrar of Co-op. Societies (North Zone).

Mapusa, 30th November, 2010.

#### Order

No. 18-197-2000/ARSZ/CONS/3014

- Read: 1) Order No. 18-197-2000/ARSZ/CONS/191 dated 28th April, 2010, terminating the Liquidation proceedings of the Fatima Consumers Co-op. Society Ltd., Davorlim, Dicarpale, Salcete-Goa.
- 2) Minutes of the final General Body Meeting of the Fatima Consumers Co-op. Society Ltd., Davorlim, Dicarpale, Salcete-Goa.
- 3) This Office letter dated 1st November, 2010 requesting the Liquidator to



transfer surplus fund account to the Registrar of Co-op. Societies surplus fund account No. 67, maintained with the Goa State Co-op. Bank Ltd., Panaji-Goa.

In exercise of powers vested in me under Section 19 of the Goa Co-op. Societies Act, 2001, I, P. M. Naik, Asstt. Registrar of Co-operative Societies, South Zone, Margao, Goa and in furtherance to above referred Order at Sr. No. 1 and report to that effect received from the liquidator regarding conclusion of winding up proceedings of the Society I, hereby cancel the registration of the Fatima Consumers Co-op. Society Ltd., Davorlim, Dicarpale, Salcete-Goa and it shall cease to be a Corporate body from the date of cancellation of registration.

Sd/- (P. M. Naik), Asstt. Registrar of Co-op. Societies (South Zone).

Margao, 30th November, 2010.

#### Notification

No. 5-1286-2010-ARSZ/HSG

In exercise of the powers vested in me under Section 8 of the Goa Co-operative Societies Act, 2001, "The Laxmi Plaza Co-op. Housing Maintenance Society Limited," Behind Church, Margao-Goa is registered under code symbol No. HSG-(d)-781/South Goa/2010.

Sd/- (P. M. Naik), Asstt. Registrar of Co-op. Societies (South Zone).

Margao, 10th December, 2010.

#### Certificate of Registration

"The Laxmi Plaza Co-operative Housing Maintenance Society Limited," Behind Grace Church, Margao-Goa has been registered on 10-12-2010 and it bears registration code symbol No. HSG-(d)-781/South-Goa/2010 and it is classified as "Housing Society" under sub-classification No. 7-(d)-Co-operative Housing Maintenance Society in terms of Rule 8 of the Goa Co-operative Societies Rules, 2003.

Sd/- (P. M. Naik), Asstt. Registrar of Co-op. Societies (South Zone).

Margao, 10th December, 2010.

### Department of Finance Revenue & Control Division Directorate of Accounts

#### Order

No. DA/Admn/45-9/2010-11/TR-4496/103

The Government is pleased to place the services of Shri Vinayak A. Naik, Jt. Director of Accounts under Common Accounts Cadre on repatriation from the Office of the Sports Authority of Goa, Panaji at the disposal of Goa Meat Complex, Panaji and thereby relieving Shri Pradeep Narvekar, Joint Director of Accounts of additional duties.

The deployment of Shri Vinayak A. Naik, Jt. Director of Accounts will be on deputation basis for the period from 21-01-2011 to 28-02-2011.

Further, Shri Gokuldas Verdekar, Jt. Director of Accounts who is presently working in the Goa Tillari Irrigation Development Corporation, Panaji, shall hold the additional charge of the post of Joint Director of Accounts in the Office of Sports Authority of Goa, Panaji, on purely temporary stop gap arrangements until further orders.

The Agency shall be liable to pay to the Government leave salary and pension contribution in respect of Shri Vinayak A. Naik, Jt. Director of Accounts at the prescribed rates.

The Officers shall send CTC/Joining Report to this Directorate on reporting to their new assignment.

By order and in the name of the Governor of Goa.

P. S. Gude, Director of Accounts & ex officio Joint Secretary.

Panaji, 4th January, 2011.

### Department of Labour

#### Order

No. 28/16/2008-LAB

Whereas the Government of Goa is of the opinion that an industrial dispute exists between the management of M/s. Kundil Alloys Private Limited, Kundaim Industrial Estate, Kundaim, Goa and it's Workmen represented by the Gomantak Mazdoor Sangh, in respect of the matter specified in the Schedule hereto (hereinafter referred to as the "said dispute");

And whereas the Government of Goa considers it expedient to refer the said dispute for adjudication.

Now, therefore, in exercise of the powers conferred by clause (d) of sub-section (1) of Section 10 of the Industrial Disputes Act, 1947 (Central Act 14 of 1947) (hereinafter referred to as the "said Act"), the Government of Goa hereby refers the said dispute for adjudication to the Industrial Tribunal of Goa at Panaji-Goa, constituted under Section 7-A of the said Act.

#### SCHEDULE

"(1) Whether the action of the management of M/s. Kundil Alloys Private Limited, Kundaim, Goa in refusing to concede the following demands raised by the Gomantak Mazdoor Sangh vide their letter dated 10-02-2008, are legal and justified?

#### Demand No. 1: Pay Scales

Grades	Scales
A.	2150-80-2550-90-3000-100-3500-110-4050-120-4650-125-5275-130-5925.
B.	2050-75-2425-85-2850-95-3325-105-3850-115-4425-120-5025-125-5650.
C.	1850-65-2175-75-2550-85-2975-95-3450-100-3950-105-4475-110-5025.
D.	1750-60-2050-70-2400-80-2800-90-3250-95-3725-100-4225-105-4750.

#### Demand No. 2: Flat Rise

It is demanded that all Workmen shall be given a Flat Rise at the rate of Rs. 1,000/-. This amount shall be added to the existing basic and thereafter fitted in the revised pay scale in the higher stage.

#### Demand No. 3: Seniority Increments

It is demanded that the Workmen shall be given Seniority Increments as mentioned below:

Those Workmen with service upto 5 years	: One Increment.
Those Workmen with service above 5 years	: Two Increments.

#### Demand No. 4: Variable Dearness Allowance

Considering the high cost of inflation and Goa being a tourist State, it is demanded that the Variable Dearness Allowance shall be paid at the rate of Rs. 2/- per point rise beyond 2000 AICPI

points (1960=100). The computation of Variable Dearness Allowance shall be made quarterly based on the average rise of the preceding quarter.

#### Demand No. 5: House Rent Allowance

It is demanded that House Rent Allowance shall be paid at the revised rate of 25% of the basic and other Allowance, as the cost of accommodation is very high in Goa being a tourist State.

#### Demand No. 6: Education Allowance

It is demanded that the Education Allowance shall be paid at the revised rate of Rs. 500/- per Workman per month.

#### Demand No. 7: Conveyance Allowance

It is demanded that all Workmen shall be paid Conveyance Allowance at the rate of Rs. 500/- per month.

#### Demand No. 8: Paid Holidays

It is demanded that all Workmen shall be granted 12 days Paid Holidays per year. It is further demanded that if the festival is on Sundays then, holiday shall be granted on next day or one day before the festival, which shall be finalized in consultation with the Union.

#### Demand No. 9: Leave

It is demanded that all Workmen shall be given leave on following basis:

- (A) *Earned Leave*: It is demanded that all Workmen shall be given 30 days Earned Leave per year and shall be allowed to accumulate upto 90 days and also shall be allowed to take said leave 10 times in a year.
- (B) *Casual Leave*: It is demanded that all Workmen shall be given 12 days Casual Leave per year with encashment facility.
- (C) *Sick Leave*: It is demanded that all Workmen shall be given 12 days Sick Leave per year and shall be allowed to accumulate upto 45 days.

#### Demand No. 10: Leave Travel Assistance

It is demanded that Leave Travel Assistance shall be paid at the revised rate of Rs. 3,000/- per annum with minimum of four days earned leave. The amount shall be paid one week before the commencement of leave.

**Demand No. 11: Festival Advance**

It is demanded that all Workmen shall be granted Festival Allowance of Rs. 3,000/- once in a year to meet the additional expenses incurred by him for such festival which shall be recovered in 10 equal installments.

**Demand No. 12: Bonus/Ex-gratia**

It is demanded that all Workmen shall be paid Bonus/Ex-gratia every year before Diwali at the rate of 30% of gross wages.

**Demand No. 13: Shift Allowance**

It is demanded that those Workmen who work in the shifts shall be paid Shift Allowance as under:

Second Shift : Rs. 25/- per shift.

Third Shift : Rs. 35/- per shift.

**Demand No. 14: Supply of Uniform**

It is demanded that all Workmen shall be given two sets of Uniform in the month of January every year.

**Demand No. 15: Washing Allowance**

It is demanded that all Workmen shall be paid Washing Allowance at the rate of Rs. 200/- per month as the cost of washing uniforms is very high and to meet the increase, the demand for Washing Allowance is just and proper.

(2) If the answer to issue No. (1) above is in the negative, then, what relief the Workmen are entitled to?"

By order and in the name of the Governor of Goa.

*Vasanti H. Parvatkar*, Under Secretary (Labour).

Porvorim, 6th January, 2011.

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**Order**

No. 28/17/2008-LAB

Whereas the Government of Goa is of the opinion that an industrial dispute exists between the management of M/s. Kundil Rollings Mills Private Limited, Kundaim Industrial Estate, Kundaim, Goa and it's Workmen represented by the Gomantak Mazdoor Sangh, in respect of the matter specified in the Schedule hereto (hereinafter referred to as the "said dispute");

And whereas the Government of Goa considers it expedient to refer the said dispute for adjudication.

Now, therefore, in exercise of the powers conferred by clause (d) of sub-section (1) of Section 10 of the Industrial Disputes Act, 1947 (Central Act 14 of 1947) (hereinafter referred to as the "said Act"), the Government of Goa hereby refers the said dispute for adjudication to the Industrial Tribunal of Goa at Panaji-Goa, constituted under Section 7-A of the said Act.

**SCHEDULE**

"(1) Whether the following demands raised by the Gomantak Mazdoor Sangh vide it's letter dated 10-02-2008 before the management of M/s. Kundil Rollings Mills Private Limited, Kundaim, Goa on behalf of the workers as are represented by them, are legal and justified?"

**Demand No. 1: Pay Scales**

It is demanded that the new pay scales should be as follows:

Grades	Scales
A.	2150-80-2550-90-3000-100-3500-110-4050-120-4650-125-5275-130-5925.
B.	2050-75-2425-85-2850-95-3325-105-3850-115-4425-120-5025-125-5650.
C.	1850-65-2175-75-2550-85-2975-95-3450-100-3950-105-4475-110-5025.
D.	1750-60-2050-70-2400-80-2800-90-3250-95-3725-100-4225-105-4750.

**Demand No. 2: Flat Rise**

It is demanded that all the Workmen shall be given the Flat Rise at the rate of Rs. 1,000/-. This amount shall be added to the existing basic and thereafter fitted in the revised pay scale in the higher stage.

**Demand No. 3: Seniority Increments**

It is demanded that the Workmen should be given Seniority Increments as mentioned below:

Service upto 5 years	: One Increment.
Service above 5 years	: Two Increments.

**Demand No. 4: Variable Dearness Allowance**

Considering the high inflation and Goa being the tourist State, it is demanded that the Variable Dearness Allowance shall be paid at the rate of Rs. 2/- per point rise beyond 2000 AICPI points (1960=100) the computation of Variable Dearness Allowance shall be made quarterly based on the average rise of the preceding quarter.

**Demand No. 5: House Rent Allowance**

It is demanded that House Rent Allowance should be paid to the Workmen at the revised rate of 25% of the basic and other Allowance as the cost of accommodation is very high in Goa due to tourist State.

**Demand No. 6: Education Allowance**

It is demanded that the Education Allowance shall be paid at the revised rate of Rs. 500/- per Workman per month.

**Demand No. 7: Conveyance Allowance**

It is demanded that all Workmen shall be paid Conveyance Allowance at the rate of Rs. 500/- per month.

**Demand No. 8: Paid Holidays**

It is demanded that all the Workmen shall be granted Paid Holidays at the rate of 12 days per year. It is further demanded that the festival holidays that fall on Sundays shall be changed to next day or one day earlier, which shall be finalized in consultation with the Union.

**Demand No. 9: Leave**

It is demanded that all the workers should be given leave on following basis:

- (A) *Earned Leave*: It is demanded that all the Workmen should be given Earned Leave at the rate of 30 days per year, with accumulation upto 90 days and such leave shall be allowed 10 times in a year.
- (B) *Casual Leave*: It is demanded that all the Workmen should be given Casual Leave at the rate of 12 days per year with encashment facility.
- (C) *Sick Leave*: It is demanded that all the Workmen should be given Sick Leave at the rate of 12 days per year with accumulation upto 45 days.

**Demand No. 10: Leave Travel Assistance**

It is demanded that Leave Travel Assistance should be paid at the revised rate of Rs. 3,000/- per annum with minimum of four days earned leave. The amount shall be paid one week before the commencement of leave.

**Demand No. 11: Festival Advance**

It is demanded that all the Workmen shall be granted Festival Advance once in a year at the time of festival of Rs. 3,000/- each, to meet the additional expenses for such festival which shall be recovered in 10 equal installments.

**Demand No. 12: Bonus/Ex-gratia**

It is demanded that all the workers shall be paid Bonus/Ex-gratia at the rate of 30% of gross wages every year before Diwali.

**Demand No. 13: Shift Allowance**

It is demanded that those Workmen who work in the shifts shall be paid Shift Allowance as under:

Second Shift : Rs. 25/- per shift.

Third Shift : Rs. 35/- per shift.

**Demand No. 14: Supply of Uniform**

It is demanded that all the Workmen shall be provided with two sets of Uniform in the month of January every year.

**Demand No. 15: Washing Allowance**

It is demanded that all the Workmen shall be paid Washing Allowance at the rate of Rs. 200/- per month.

- (2) If the answer to issue No. (1) above is in affirmative, then, what relief the Workmen are entitled to?"

By order and in the name of the Governor of Goa.

Vasanti H. Parvatkar, Under Secretary (Labour).  
Porvorim, 6th January, 2011.

**Notification**

No. 28/1/2010-LAB

The following award passed by the Labour Court-II at Panaji-Goa on 22-11-2010 in reference No. IT/95/07 is hereby published as required by Section 17 of the Industrial Disputes Act, 1947 (Central Act 14 of 1947).

By order and in the name of the Governor of Goa.

Vasanti H. Parvatkar, Under Secretary (Labour).  
Porvorim, 3rd January, 2011.

IN THE LABOUR COURT-II  
GOVERNMENT OF GOA  
AT PANAJI

(Before Shri Suresh N. Narulkar,  
Hon'ble Presiding Officer

Case No. Ref. IT/95/07



Shri Damodar Mangueshkar,  
represented by Cidade de Goa Hotel  
Employees Union,  
Dona Paula, Goa. ... Workman/Party I

V/s

1. M/s. Cidade de Goa,  
Vainguinim Beach,  
Dona Paula, Goa.
2. M/s. Fomento Resorts  
Pvt. Ltd., Vainguinim  
Beach, Dona Paula, Goa. ... Employer/Party II

Party I/ Workman represented by Shri P. Gaonkar.

Party II/Employer represented by Adv. G. B. Kamat.

Panaji, Dated: 22-11-2010.

#### AWARD

1. In exercise of the powers conferred by clause (d) of sub-section (1) of Section 10 of the Industrial Disputes Act, 1947 (Central Act 14 of 1947), the Government of Goa by Order dated 27-09-2007 bearing No. 28/45/2006-LAB/896 referred the following dispute for adjudication to the Industrial Tribunal of Goa.

*“(1) Whether the action of the management of M/s. Fomento Resorts & Hotels Limited having their hotel Cidade de Goa, at Vainguinim Beach, Dona Paula, Goa in terminating the service of their Workman, Shri Damodar Mangueshkar, Accounts Clerk, with effect from 01-12-2006, is legal and justified?”*

*“(2) If not, to what relief, the Workman is entitled?”*

2. On receipt of the reference, a case was registered under No. IT/95/07 and registered A/D notice was issued to the parties. In pursuance to the said notice, the parties put in their appearance. The Party I (for short 'Workman'), filed his statement of claim on 13-11-2007 at Exhibit-3. The facts of the case in brief as pleaded by the Workman is that the Party II (for short "Employer") is a Hotel Industry. He stated that he was initially employed as "Clerk" by Hotel Cidade de Goa, a unit of Party II (2) w. e. f. 10-11-1984 and thereafter his services were confirmed vide letter dated 10-11-1985, since then he was working for the Employer. He stated that since his joining he was doing the work of a clerk though he was designated as "Accounts Supervisor". He stated

that the work was assigned to him daily by his superior and as per his instructions he was doing the work. He stated that since the commencement of the hotel, he was continuously working in the hotel without any break in service. He stated that he was elected as "Treasurer" of the Cidade de Goa Hotel Employees Union by the members of the said Union. He stated that the said Union had informed the management vide Union letter dated 01-07-2005 and Mr. P. Gaonkar was elected as working President of the Union. He stated that vide letter dated 30-06-2005 the Union has informed the Management that their Union has resolved to seek the affiliation of Bharatiya Mazdoor Sangh.

He stated that in order to create unsatisfactory performance and the records he was issued a letter dated 13-09-2006, though he was awarded several certificates of merits for his best performance. He stated that on 02-09-2006, he was called by the Managing Director in her chamber and threatened him by stating that if he did not leave the affiliation of Mr. P. Gaonkar within fifteen days, he will have to face the consequences. He stated that again in the second week of September, 2006, the Manager, Human Resources and Personnel again gave threat to him and informed him that he has to leave the affiliation of Mr. Gaonkar for which he had informed the Manager that he cannot take a decision of withdrawal of affiliation as the said decision was taken by the General Body members of the Union. He stated that the Manager, Human Resources and Personnel of the Employer Company called him on 20-11-2006 and informed him that as he has not withdrawn the affiliation of Mr. Puti Gaonkar, the Management, has decided to terminate his services w.e.f. 01-12-2006 and a letter dated 28-11-2006 was issued to him. He stated that vide his letter dated 01-12-2006, he submitted his demands for reinstatement stating that the termination of his services is illegal, unjustified and bad in law as the same is effected without complying the provisions of law in force. He stated that at the time of termination of his services he was a Treasurer of the Cidade de Goa Hotel Employees Union and the said Union vide its letter dated 28-11-2006 raised the dispute before the DLC, Panaji, for his intervention on 01-12-2006. He stated that as the Management refused to attend the conciliation proceedings, the said proceedings ended in failure. He stated that the termination of his services was made during the pendency of the proceedings before the appropriate authority regarding the dispute of illegally deduction of Rs. 2,000/- per month which is under adjudication

before this Hon'ble Tribunal under reference No. IT/92/07. He stated that the matter pertaining to bonus/ex-gratia are also pending before the Industrial Tribunal, Panaji-Goa. He stated that before his termination of services, the Employer has not obtained or filed an approval application as required u/s 33 of the I. D. Act, 1947. He submitted that he was also not paid one month's wages at the time of his termination. He submitted that he being an office bearer of the recognized Union, his services should not have been terminated without complying the Section 33 (3) of the I. D. Act, 1947. He stated that before his termination of services he was not paid his legal dues such as retrenchment compensation, etc. He stated that no enquiry was conducted before termination of his services and hence the Employer has violated the principles of natural justice. He stated that the Employer has employed new person on his place of work and most of the work is given on contract. He stated that there are junior workers working in the said department. He stated that since after his termination he is unemployed and could not succeed in getting any employment and hence he is entitled for full back wages. He submitted that the termination of his services is issued only to victimize him for his Union activities and hence it is illegal, unjustified and bad in law. He therefore prayed that the termination of his services be declared as illegal, improper and unjustified and to direct the Employer to reinstate him with full back wages and continuity of services.

3. The Employer filed written statement at Exhibit-6 denying that the termination of services of the Workman is illegal and unjustified. The Employer at the outset by way of preliminary objection submitted that the Party I is not a "Workman" within the meaning of Section 2 (s) of the Industrial Disputes Act, 1947 as he was employed mainly in managerial and/or administrative and/or supervisory capacity drawing wages exceeding Rs. 1,600/- per month and/or by nature of duties attached to him and/or by reason of the powers vested in him, his functions were of supervisory nature. The Employer stated that the Party I was not doing any manual, skilled, unskilled, technical, operational or clerical work and as such the reference is illegal, bad in law, null and void and not maintainable. The facts of the case in brief as pleaded by the Employer are that the Employer is a Company incorporated under the Companies Act, 1956 on 13-10-1981 and owns a Hotel establishment known as "Cidade de Goa" a

beach resort situated at Vaguinim Beach, Dona Paula-Goa. The Employer stated that the Workman was working as Accounts Supervisor in the Accounts Department. The Employer contended that the Workman was initially appointed as a "Trainee Restaurant Cashier" on 10-11-1985 and thereafter he was promoted as Front Office Assistant/Cashier in the Front Office Department w. e. f. 01-04-1991 under letter dated 01-04-1991. The Employer stated that again the Workman was appointed/promoted as a 'Front Office Supervisor' in Grade-VIII w.e.f. 01-10-2003 under letter dated 01-10-2003. The Employer stated that the said appointment/promotion was in a supervisory/administrative category/post and on a probationary basis. The Employer stated that the details of responsibilities/duties as a Front Office Supervisor were as specified in the Annexure to the letter dated 01-10-2003. The Employer stated that the Workman was confirmed w. e. f. 01-10-2004 to the said supervisory/administrative post of Front Office Supervisor under letter dated 01-10-2004. The Employer stated that the Workman was thereafter transferred and posted for work as Accounts Supervisor in the General Stores Section of the Accounts Department w.e.f. 01-09-2005 under letter dated 01-09-2005 and on a trainee for a period of six months which was extended for a further period of six months w.e.f. 01-03-2006 under letter dated 01-03-2006. The Employer however admitted that it had terminated the services of the Workman under Order dated 28-11-2006 w.e.f. 01-12-2006. The Employer stated that during the period commencing from 01-10-2003 till the date of termination of his services, the Workman was by virtue of the duties attached to the post held by him, was primarily and substantially performing the duties of a managerial and/or administrative and/or supervisory nature. The Employer denied the case of the Workman as pleaded in his claim statement in to and prayed that the reference be rejected by holding that the Workman is not entitled for any relief.

4. Thereafter, the Workman filed his rejoinder at Exhibit-7 reiterating his claim and denied the case of the Employer which is contrary to his case. He submitted that his work was mainly of clerical in nature and did not have any supervisory powers neither he could sanction leave or to recommend the promotion or increment or to take any disciplinary action against any workman. He submitted that because he is a "Workman", he was recognized as an office bearer of the Union by the

Employer and he was given the benefits of the settlement signed under the provisions of the I. D. Act by the Employer covering the workers. He stated that the post designated upto the senior supervisors are the workmen as defined under the I. D. Act and they were covered under the settlements signed under the provisions of the I. D. Act, 1947. He stated that the designations are agreed in accordance with the seniority and the work and accordingly the grades were agreed by the workmen. He stated that the workers designated as Assistant Supervisors, Supervisors and Senior Supervisors are placed in Grades VII, VIII and IX respectively.

5. Based on the pleadings filed by the respective parties, this Court has framed the following issues:

1. *Whether the Party I proves that he is a "Workman" within the meaning of Section 2 (s) of the Industrial Disputes Act, 1947?*
2. *Whether the Party I proves that he is being victimized for being office bearer of the Union and for affiliating the Union to Puti Gaonkar/Bhartiya Mazdoor Sangh?*
3. *Whether the Party I proves that he was being pressurized to leave the affiliation of Mr. Gaonkar?*
4. *Whether the Party I proves that his services were terminated for his refusal to withdraw the affiliation?*
5. *Whether the Party I proves that his termination is illegal, improper and unjustified for non compliance of provisions of the I. D. Act?*
6. *Whether the Party I proves that he is unemployed till date and he is entitled for full back wages?*
7. *Whether the Party II proves that the Party I was primarily and substantially performing the duties of managerial, administrative and supervisory nature?*
8. *Whether the Party II proves that the reference is illegal, null and void and not maintainable?*

6. My findings to the aforesaid issues are as under:

- Issue No. 1: In the negative
- Issue No. 2: Does not arise
- Issue No. 3: Does not arise
- Issue No. 4: Does not arise
- Issue No. 5: Does not arise

Issue No. 6: Does not arise

Issue No. 7: In the negative

Issue No. 8: In the affirmative.

7. *Issue Nos. 1 & 7:* It is the Party I who has raised the present Industrial Dispute pertaining to his alleged illegal termination of his services w.e.f. 01-12-2006. The Employer Company contested the claim of the Party I by filing their written statement by contending that the Party I is not a "Workman" as defined u/s 2 (s) of the I. D. Act, 1947 but by virtue of duties attached to the post held by the Party I, was primarily and substantially performing the duties of a Managerial and/or administrative and/or supervisory nature and that he was admittedly drawing a salary of Rs. 9,935/- p.m., besides other grounds of defence. This Hon'ble Court therefore framed the existing Issue No. 1 by putting the burden to prove the same on the Party I. Similarly this Court framed the existing Issue No. 7, thereby putting the burden on the Employer Company to prove the same.

Infact, the issue Nos. 1 and 7 are co-related to each other, hence the said issue Nos. 1 and 7 are decided simultaneously.

I have heard the arguments of the Ld. Shri P. Gaonkar for the Party I as well as the Ld. Adv. Shri G. B. Kamat for the Party II.

8. The Ld. Shri P. Gaonkar representing the Party I during the course of oral arguments submitted that in order to prove the issue No. 1, the Party I has examined himself and a witness. He submitted that the Party I has stated on oath that he was initially appointed as a Clerk by the Employer Company w.e.f. 10-11-1984 and his services were confirmed vide letter dated 10-11-1985. He further stated that it has also stated by the Party I that since his joining he was doing the work of Clerk though he was designated as Accounts Supervisor and that the work was assigned to him daily by his Supervisor. He submitted that the Party I in his Affidavit-in-Evidence stated that he was not the Sanctioning Authority of any leave of any Workmen working in his department. He submitted that the Party I in para-3 of his additional Affidavit-in-Evidence on record stated his duties in detail. He submitted that the oral evidence adduced by the witness of the Party I, Shri Joaquim Gomes, the President of the Union clearly corroborates the case of the Party I. He further submitted that the Party I in support of his oral evidence, the Party I produced on record documentary evidence such as his Confirmation Letter dated 10-11-1985 (Exb. W/1),

Letter of the Union dated 01-07-2005 addressed to the Employer (Exb. W/2), Letter of the Union dated 30-06-2005 (Exb. W/3), Memorandum of Settlement (M.o.S) dated 17-12-1990 (Exb. W/15) M. o. S. dated 30-12-1994 (Exb. W/16), M. o. S. dated 02-01-1998 (Exb. W/17), M. o. S. dated 21-05-2004 (Exb. W/18) M. o. S. dated 23-12-2004 (Exb.W/19), Pay Slip for the month of September, 2006 (Exb.W/20), Job Responsibility (Exb.W/21). He submitted that on the contrary, the Employer has failed to prove their case that the Party I was discharging any supervisory functions, which itself proves that the Party I is a "workman" within the meaning of section 2(s) the I.D. Act, 1947 and relied upon a decision of Hon'ble Apex Court in the case of **D. P. Maheshwari v/s Delhi Administration and others reported in (1983) 4 SCC 293**. He submitted that the Employer has miserably failed to prove that the Party I was performing duties of supervisory and managerial nature and relied upon a decision of Hon'ble High Court of Madras in the case of **Regional Director ESI v/s Rahi Maniya Sago Factory reported in 2008 (119) FLR 116**. He submitted that the said various Memorandum of Settlements signed by the Employer Company with its Union indicates that the Party I was one of the signatory of the said Memorandum of Settlements signed between the Parties. He therefore submitted that the Party I is a "Workman" within the meaning of Section 2(s) of the I. D. Act, 1947.

9. On the contrary, the Ld. Adv. Shri G. B. Kamat during the course of his oral arguments submitted that the Party I has raised the present industrial dispute pertaining to his alleged illegal termination of his services by the Employer Company w.e.f. 01-12-2006 by contending to be a "Workman" as defined u/s 2 (s) of the I. D. Act, 1947. He submitted that the initial burden to prove the existing issue No. 1 is on the Party I i.e. whether the Party I proves that he is a "Workman" within the meaning of Section 2 (s) of the I. D. Act, 1947. It was therefore incumbent upon the Party I to prove the said issue No. 1 by producing cogent material evidence on record. He submitted that it is a well settled law that whether a person concerned is a Workman or not has to be decided based on his primary and basic nature of duties which he was performing at the relevant time. He submitted that the Party I neither specifically pleaded nor stated on oath in his Affidavit-in-Evidence filed in the present proceedings about his primary and basic nature of duties or any other duties which he was performing at the time of termination of his services. He

submitted that the Party I in para-3 of his additional Affidavit-in-Evidence filed in the present proceedings stated certain duties performed by him at the relevant time. He submitted that the Party I however in his cross-examination stated that the said duties mentioned in para-3 of his additional Affidavit-in-Evidence were performed by him as a Front Office Cashier and not as an Accounts Supervisor which post he was holding at the time of termination of his services. He submitted that the statement of the Party I that he was doing the work of clerical nature is not enough to constitute him a Workman as defined u/s 2 (s) of the I. D. Act, 1947. He submitted that it is the Party I who has to prove his case independently by stating specifically his primary nature of duties performed by him that he is falling within the definition of the "Workman". He submitted that merely because the Party I was not performing the duties of managerial and/or administrative and/or supervisory in nature, it does not ipso facto means the Party I is a Workman within the meaning of Section 2 (s) of the I. D. Act, 1947 and relied upon decisions of **Hon'ble Supreme Court of India** (1) in the case of **Shankar Chakrawarti v/s Britannia Biscuits Co. Ltd. reported in 1979 SC 1652**, (2) **S. K. Maini v/s M/s Carona Sahu Company Ltd. & Ors. reported in 1994 (68) FLR 11**, (3) **H. R. Adyanthaya & Ors. v/s Sandoz (India) Ltd. & Ors. reported in 1994 SC 2608**, (4) **Management of M/s. Sonepat Co-operative Sugar Mills Ltd. v/s Ajit Singh reported in 2005 LAB I. C. 1315**. He also relied upon a decision of **Hon'ble High Court of Bombay**, in the case of **UVI Holidays Ltd. v/s Agnelo C. Coutinho**.

I have carefully perused the entire records of the case including the synopsis of the written arguments filed by the respective parties. I have also carefully considered various oral as well as written submissions made by the respective parties.

10. Undisputedly, it is the Party I who has raised the present Industrial Dispute pertaining to the alleged illegal termination of his services by the Employer Company w. e. f. 01-12-2006 by claiming to be a "Workman" as defined u/s 2 (s) of the I. D. Act, 1947. It is the well settled law that the Industrial Tribunal as well as the Labour Court has got jurisdiction to adjudicate the matter only pertaining to the Workman category and not to the non-workman category. It was therefore incumbent upon the Party I to prove the existing Issue No. 1 that he is the Workman as defined u/s 2 (s) of the I. D. Act, 1947 by leading cogent evidence.



11. Section 2 (s) of the I. D. Act, 1947 defines the expression, "Workman" and it reads as u/s 2 (s), 'Workman' means any person (including an apprentice) employed in any industry to do any manual, unskilled, skilled, technical, operational, clerical or supervisory work for hire or reward whether the terms of employment be expressed or implied and for the purposes of any proceedings under this Act in relation to an industrial dispute, includes any such person who has been dismissed, discharged or retrenched in connection with or a consequence of that dispute or dismissal, discharge or retrenchment has laid to that dispute, but does not include any such person.

- (1) who is subject to the AIR Force Act, 1950 (45 of 1950) or the Army Act, 1950 (46 of 1950) or the Navy Act, 1957 (62 of 1957); or
- (2) who is employed in the police service or as an Officer or other employee of a prison; or
- (3) who is employed mainly in a managerial or administrative capacity;
- (4) who, being employed in a supervisory capacity draws wages exceeding Rs. 1,600/- per mensem or exercises either by the nature of the duties attached to the office or by reason of the powers vested in him, functions mainly of a managerial nature.

12. In the case of **Manganese Ore (India) Ltd. v/s Union of India & Ors. reported in 2001 LLR 1135**, the Hon'ble High Court of Bombay has held that "*after giving my careful consideration to the fact and circumstances of the case and the submissions made by the Ld. Council for the Parties in this regard, it appears to me that whether or not an employee is a workman u/s 2 (s) of the I. D. Act is required to be determined with reference to his principal nature of duties and functions. Such question is required to be determined with reference to the facts and circumstances of the case and the material on record and it is not possible to lay down any straight jacket formula, which can decide the dispute as to the real nature of duties and functions being performed by an employee in all cases. When an employee is employed to do the types of work enumerated in the definition of the workman u/s 2 (s) of the I D. Act, there is hardly any difficulty in treating him as workman under the appropriate classification but in complexity of industrial or commercial organizations quiet large number of employees are often required to do more than one kind of work. In such cases, it becomes necessary to determine under which classification*

*the employee will fall for the purpose of deciding whether he comes within the definition of workman or goes out of it".*

In the case of **S. K. Maini v/s M/s. Carona Sahu Company Ltd. & ors reported in 1994 (68) FLR 1101** the Hon'ble Supreme Court of India has held that "*the designation of an employee is not of much importance and what is important is the nature of duties being performed by the employee and the determinative factor is the main duties of the employee and not the same work incidentally done by him".*

13. Thus, in view of the law laid down by the Hon'ble Apex Court in its aforesaid decision it is clear that in order to prove that the Party I is a "Workman" as defined u/s 2 (s) of the I. D. Act, 1947, the Party I has to prove that he was performing the duties of manual, unskilled, skilled, technical, operational, clerical or supervisory work. It is well settled law that whether a person is a 'Workman' or not as defined u/s 2 (s) of the I. D. Act, 1947 has to be decided on the basis of the predominant nature of duties performed by concerned person at the relevant time, it cannot lay down any straight jacket formula.

14. It is the contention of Ld. Rep. Shri P. Gaokar appearing for the Party I that the Party II failed to prove that the Party I was discharging managerial and supervisory duties, is itself proves that the Party I is a Workman and relied upon the decision of Hon'ble Supreme Court of India in the case of **D. P. Maheshwari v/s Delhi Administration and Ors. reported in (1983) 4 SCC 293** wherein it is been held that "*We would further like to add that the circumstances that the appellant was not discharging supervisory functions was itself a very strong circumstance from which it could be legitimately inferred that he was discharging duties of clerical nature. If the Labour Court has drawn such an inference, it would have been well justified in doing so".*

15. However, the Hon'ble Supreme Court of India in its case of **H. R. Adyanthaya v/s Sandoz (I) Ltd. reported in 1994 (69) FLR 593** has held that "*a person claiming to be a "Workman" under the I. D. Act, 1947 must show that he was employed to do the work of any of the categoryi which of manual, unskilled, skilled, technical, operational, clerical or supervisory and that is not enough that he not covered by either of the four exceptions to the definition of the Workman".*

Further, the Hon'ble Supreme Court of India in its case of **Management of M/s. Sonapat**

**Co-operative Sugar Mills Ltd., v/s Ajit Singh reported in 2005 LAB IC 1315** has observed that *“the question as to whether the Employee has been performing clerical work or not is required to determine upon arriving at the findings as regards the dominant nature of duty with a view to give effect to the expression to do “any manual unskilled, skilled, technical, operational, clerical or supervisory work”, the job of the concerned employee must fall within one or other category thereof. It would therefore not be correct to contend that merely because the employee had not been performing any managerial or supervisory duties, ipso facto, he would be a Workman”.*

Similarly, the Hon'ble High Court of Bombay in its case of **UVI Holidays Ltd. v/s Agnelo C. Coutinho** has held that *“it is now well settled that when a person condemns he is a workman, he must fall within one of the categories contained in the inclusive part of the definition of the term workman as defined under section 2 (s) of the I. D. Act, 1947. It is immaterial whether the person is not doing managerial, supervisory or administrative work. The person claiming to be a workman must be able to establish that he is discharging duties which are manual, skilled, unskilled, technical, operational, clerical or supervisory in nature (drawing less than Rs. 1,600/-per mensem”.*

16. I have carefully perused the aforesaid decisions of the Hon'ble Supreme Court of India as well as Hon'ble High Court of Bombay. The law laid down by the Hon'ble Apex Court on the point in its H. R. Adyanthaya's case has also been followed in its recent decision in the case of **Mukesh Tripathi v/s Senior Divisional Manager, LIC & Ors. reported in 2004 (193) FLR 350** and by various Hon'ble High Court in their recent decisions and held that a person claiming to be a “Workman” under the I. D. Act, 1947 must show that he was employed to do the work of any of the category which of manual, unskilled, skilled, technical, operational, clerical or supervisory and that is not enough that he is not covered by either of the four exceptions to the definition of the Workman. I am bound by the precedent laid down by the Hon'ble Supreme Court of India as well as the Hon'ble High Court of Bombay in their aforesaid respective decisions. Hence, accept the proposition of law laid down by the Hon'ble Apex Court in its H. R. Adyanthaya's case.

17. In the present case, the evidence on records indicates that the Party I was initially appointed

as “Trainee Restaurant Cashier” in F & B (General) Department of the Employer vide their letter dated 10th November, 1984 (Exb. E/1) and confirmed in services in the said post vide letter of the Employer dated 10th November, 1985 (Exb. W/1). It is evident from the records of the case that the Party I was thereafter promoted to the post of “Front Office Assistant/Cashier” vide letter of the Employer dated 1st April, 1991 (Exb. E/2) and again further promoted to the post of “Front Office Supervisor” vide letter of the Employer dated 1st October, 2003 (Exb. E/3).

Thereafter the services of the Party I were transferred and posted as “Accounts Supervisor” in the General Stores Section of Accounts Department of the Employer vide letter of the Employer dated 01-09-2005 (Exb. E/5). Thus the evidence on record indicates that the Party I was designated as Accounts Supervisor at the time of termination of his services w.e.f. 01-12-2006. The Party I filed his Claim Statement, setting forth his grounds of challenge to the Termination Order issued by the Employer Company by contending to be “Workman” as defined u/s 2 (s) of the I. D. Act, 1947. The Party I however failed to state the detailed nature of his duties performed by him as an “Accounts Supervisor” at the time of termination of his services by the Employer w. e. f. 01-12-2006, except, making a bare statement that he was doing the work of clerk. Mere stating that he was doing the work of clerk is not enough to constitute a workman as defined u/s 2 (s) of the I. D. Act. The Party I however in para-3 of his Additional Affidavit in Evidence stated certain duties which have been performed by him. The Party I however in his cross-examination admitted that the said duties stated in para-3 of his Additional Affidavit-in-Evidence were performed by him as a **Front Office Cashier** and not as **Accounts Supervisor** which post he was holding at the time of termination of his services by the Employer.

The Party I also examined one Shri Joaquim Gomes, the President of Cidade-de-Goa Employees Union in support of his case. The said witness in his examination-in-chief deposed that the Party I was initially appointed as a clerk. However in his cross-examination, he deposed that the Party I was never issued any such letter appointing him as a clerk and therefore he cannot produce the same. He further deposed that he had never worked in the same department of the Party II. He also stated that he was not specifically aware as to what were the clerical duties performed by the Party I although he has stated in his

Affidavit-in-Evidence that though the Party I was designated as Accounts Supervisor, his main duties were of clerical nature.

18. The Ld. Adv. G. B. Kamat relied upon a decision of **Hon'ble Supreme Court of India in the case of Shankar Chakrawarti v/s Britannia Biscuits Co. Ltd. reported in 1979 SC 1652** wherein it has been held that *"it is well settled principles of law that the allegation which was not pleaded and even if the evidence is adduced in that regards cannot be examined because the other side has no notice of it and if such evidence is entertained it would tantamount to granting unfair advantage to the Party who had not pleaded his case properly"*.

The Ld. Representative Shri P. Gaonkar in his written Synopsis of Arguments relied upon a decision of **Regional Director ESI v/s Rahi Maniya Sago Factory reported in 2008 (119) FLR 116** wherein it has been held that *"it is settled proposition of law that without proper pleadings and evidence to substantiate the pleadings no one can establish any claim"*.

I have carefully perused the aforesaid decisions relied upon by the respective parties. The principle laid down in the aforesaid decisions is equally applicable to the present case.

19. Thus, after considering the material pleadings as well as evidence on record, it is noticed that the Party I has failed to establish his primary and basic nature of duties which he was performing at the time of termination of his services by the Employer Company w.e.f. 01-12-2006. Having failed to establish the primary and the basic nature of duties performed by him, the Party I also failed to establish that he falls in any of the category as stated in the definition of the "Workman" i.e. unskilled, skilled, technical, operational, clerical or supervisory work.

20. Ld. Adv. G. B. Kamat representing the Employer during the course of his oral argument submitted that the Party I in his cross-examination stated that as per the constitution of the Union (Exhibit W/16) an employee of the Party II who has attained the age of 18 yrs. is entitled to become an ordinary member of the Union on payment of admission fee of Re. 1/- and a monthly subscription of Re. 1/- and that membership is not restricted to the category of Workman employed with the Party II. The said witness of the Party I further stated that there is no rule or provision which provides for termination of membership of an employee of the Party II when he is promoted to

Executive Category. He relied upon the decision of Hon'ble High Court of Karnataka in the case of **Government Tool Room and Training Centre's Supervisory and Officers Association and anr. v/s Assistant Labour Commissioner & Ors. reported in 2002 Lab. I.C.1034** it has been held that *"in the light of these two definitions it is clear to me that the "workman" under the Trade Unions Act include all persons employed in a trade or Industry. It is not restricted definition as in any other enactment of Labour Laws. When the Act itself provides for wider definition and for a wider meaning of the definition, the Courts cannot narrow it by its decision. That would be against the very object of the Trade Union Act itself—"*

I have carefully perused the aforesaid decision relied upon by the Ld. Adv. Shri G. B. Kamat for the Party II. The law laid down by the Hon'ble High Court of Karnataka in its aforesaid decision on the point is equally applicable to the present case. Hence, it is held that mere fact that the Party I was a member and/or office bearer of the Union is not sufficient to conclude that he is a "Workman" as defined under section 2 (s) of the I. D. Act, 1947.

21. The Party I however, in his Rejoinder filed in the present proceedings at Exhibit-6 submitted that because he is a "Workman", he was recognized as an office bearer of the Union by the Employer and he was given the benefits of the settlement signed under the provisions of the I. D. Act, 1947. The Party I in support of his aforesaid contention produced on record a letter of the Union dated 01-07-2005 addressed to the Employer at Exhibit-W/2. The said letter of the Union at Exhibit-W/2 indicates that it has informed the Employer Company about the newly elected office bearers of their Union in the General Body Meeting held on 07-06-2006. The said letter of the Union also indicates that the Party I was elected as a 'Treasurer' of the said Union. The Party I however failed to produce on record any cogent evidence to prove that he has been recognized as an office bearer of the Union by the Employer by communicating in writing to them as required under Rule 61 (2) of the I. D. (Central) Rules, 1957. The term "Workman" has been defined u/s 2 (g) of the Trade Union's Act, 1926 and it means "all persons employed in trade or industry whether or not in the employment of the Employer with whom the trade dispute arises". Thus, the workmen under the Trade Union's Act, 1926 means any person whether or not employed with the concerned employer. In view of the above, the contention of



the Party I that because he is a "Workman" he was recognized as an office bearer of the Union by the Employer is without any merits and hence cannot be accepted.

22. The Party I has also produced on record various Memorandum of Settlements signed between the Employer Company and its Employees' Union u/s 12 (3) of the I. D. Act, 1947 and Memorandum of Settlement dated 23-12-2004 arrived u/s 18(1) read with Section 2 (p) of the I. D. Act, 1947 between the Employer Company and its Employees Union at Exhibit W/16 to Exhibit-W/19. Among the said Memorandum of Settlements, the Memorandum of Settlement at Exhibit-W/19 was in force at the relevant time. On careful perusal of the said Memorandum of Settlement at Exhibit-W/19 it indicates that the benefits of the said Memorandum of Settlement were made applicable to all the confirmed workmen in Grade I-IX only, but it does not indicate the designated posts to whom the said Memorandum of Settlements were made applicable. The Party I also failed to produce on record any material evidence to prove that the benefits of the said Memorandum of Settlement in force at Exhibit-W/19 was given to him.

Hence, the plea of the Party I that because he is a Workman, he was given the benefits of Memorandum of Settlement signed between the Employer Company and its Employees' Union, is without any merits.

It is therefore held that the Party I failed to prove that he is a "Workman" as defined u/s 2 (s) of the I. D. Act, 1947. Hence it is held that he is not a "Workman" as defined u/s 2 (s) of the I. D. Act, 1947. The issue No. 1 is therefore answered in the negative.

23. Similarly, though the Employer Company pleaded and also, stated on oath that the Party I by virtue of duties attached to the post held by him, he was primarily and substantially performing the duties of a managerial and/or administrative and/or supervisory nature and that he was drawing a salary of Rs. 9,935/- p. m., the Employer Company however, failed to specifically plead and also state on oath, the detailed primary and basic nature of duties of managerial and/or administrative and/or supervisory in nature which the Party I alleged to have been performing at the relevant time. Hence, it is held that the Employer Company failed to prove that the Party I was primarily and substantially performing the duties of managerial, administrative and supervisory in nature. The

issue No.7 is also therefore answered in the negative.

24. *Issue Nos. 2, 3, 4 & 6:* It is the Party I who has raised the present industrial dispute pertaining to his termination of services by the employer w.e.f. 1-12-2006 by contending that it is illegal, unjustified and bad in law. He contended that he is being victimized for being Office bearer of the Union and for affiliating the Union to Puti Gaokar/Bhartiya Mazdoor Sangh. He submitted that he was being pressurized to leave the affiliation of Mr. Gaokar. He submitted that his services were terminated for his refusal to withdraw the affiliation. The Employer Company denied the aforesaid contention of the Party I. It is therefore incumbent upon him to prove the aforesaid issues by producing cogent evidence.

I have heard the arguments of the Ld. Rep. Shri P. Gaonkar for the Party I as well as the Ld. Adv. Shri G. B. Kamat for Party II.

25. The Ld. Rep. Shri P. Gaonkar during the Course of his oral arguments submitted that the Party I is an office-bearer of the Cidade de Goa Hotel Employees Union, which Union was affiliated to Bharatiya Mazdoor Sangh. He submitted that the Party I was issued show cause notice alleging that the said short payment/non-collection was on account of system failure and that presentation of bill of Mr. Sven Kretschmer as a part of their threat to harass and victimize the Party I. He submitted that the Party I has denied the charges levelled against him vide his reply dated 27-04-2005. He further submitted that the Employer Company without conducting any enquiry stated deducting Rs. 2,000/- per month from his earned wages w.e.f. May, 2005. He submitted that besides the Party I, the Employer Company has not issued any show cause notice or taken action against any Workman including the Night Auditors who have verified the said bills. He submitted that the Employer Company thereafter terminated his services w.e.f. 1-12-2006. He submitted that the aforesaid action on the part of the Employer Company clearly proves that it is illegal, unjustified and bad-in-law as it is in violation of the well established principles of natural justice. He submitted that the aforesaid act on the part of the Employer Company also amounts to victimize the Party I as a part of harassment by framing a false charge of financial loss of Rs. 39,508/- and subsequently terminated his services without following the due procedure established by law.



26. On the contrary, the Ld. Adv. Shri G. B. Kamat submitted that in order to claim any relief from this Hon'ble Court, the Party I has to prove first that he is a "Workman" as defined u/s 2 (s) of the I. D. Act, 1947. He submitted that the Party I, having failed to prove that he is a "Workman" as defined u/s 2(s) of the I. D. Act, 1947, he is not entitled for any relief.

I have carefully perused the entire records of the case including the synopsis of the written arguments filed by the respective parties. I have also carefully considered various oral as well as written submissions made by the respective parties.

27. While discussing the Issue No.1 hereinabove, I have already come to the conclusion & held that the Party I is not a "Workman" within the meaning of Sec. 2(s) of the I. D. Act, 1947. The Party I, having failed to prove that he is a "Workman" within the meaning of Section 2(s) of the I. D. Act, 1947, lost the jurisdiction of this Court to claim any relief. Hence, the question of deciding the present issue Nos. 2, 3, 4 & 6 does not arise at all.

28. *Issue No.7:* It is the Employer Company who contended that the present reference issued by the Government of Goa is illegal, bad-in-law, null and void and not maintainable as the Party I is not a "Workman" within the meaning of Sec. 2 (s) of the I. D. Act, 1947 and that he was employed in the managerial and/or administrative and/or supervisory capacity drawing wages exceeding Rs. 1,600/- per month and/or by virtue of duties attached to him and/or by reasons of the powers vested in him, his functions were supervisory in nature. The aforesaid contention of the Employer Company has been denied by the Party I. It is therefore incumbent upon the Employer Company to their aforesaid contention by leading material evidence.

29. While discussing the Issue Nos. 1 and 5 hereinabove, I have already come to the conclusion and held that the Party I is not a "Workman" within the meaning of Sec. 2 (s) of the I. D. Act, 1947. It is well settled principles of law that the Industrial Tribunal as well as the Labour Court has got jurisdiction to adjudicate the matter only pertaining to the workmen category and not to the non-workmen category. It was therefore incumbent upon the Party I to prove that he is the "Workman" as defined u/s 2 (s) of the I. D. Act,

1947 and consequently the dispute raised by him is an "Industrial Dispute" as defined u/s 2(k) of the I. D. Act, 1947 and hence this Court has jurisdiction to decide the present reference.

30. The term "Industrial Dispute" has been defined u/s 2(k) of the I.D. Act, 1947 and it means "Any dispute or difference between Employers and Employers, or between Employers and Workmen, or between Workmen and Workmen, which is connected with the Employment or non-employment or the terms of employment or with the conditions of the labour of any person." In the present case, the Party I, having failed to prove that he is a "Workman" as defined u/s 2(s) of the I. D. Act, 1947, also failed to prove that the dispute raised by him is between the Employer and the Workman and hence consequently failed to establish the said dispute is an "Industrial Dispute" as defined u/s 2(k) of the I. D. Act, 1947 and hence this Court has jurisdiction to decide the present reference. Hence it is held that the present Order of Reference issued by the Government of Goa is bad in law and not maintainable.

In view of the above discussion and with regards to the facts and circumstances of the case, I proceed to pass the following Order:

#### ORDER

1. It is held that the Party I, Shri Damodar Mangueshkar is not a "Workman" within the meaning of Sec. 2(s) of the I. D. Act, 1947.
2. It is further held that the dispute as to "whether the action of the Management of M/s. Fomento Resorts & Hotels Limited having their hotel Cidade de Goa, at Vanguinim Beach, Dona Paula, Goa in terminating the services of their Workman, Shri Damodar Mangueshkar, Accounts Clerk, with effect from 01-12-2006, is legal and justified?" does not arise as not maintainable.
3. It is held that the Party I, Shri Damodar Mangueshkar is not entitled to any relief.
4. No order as to cost.
5. Inform the Government accordingly.

Sd/-  
(Suresh N. Narulkar),  
Presiding Officer,  
Court-II.

## State Directorate of Craftsmen Training

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Order

No. 7/7/2006-IND/136

Read: (i) Letter No. 7/7/2006-IND/8460 dated 02-12-2010.

Ref.: COM/II/11/60(1)/03-09/2179 dated 20-12-2010.

Ex-post-facto sanction of the Government is hereby conveyed for extension of ad hoc Promotion of Shri Pandurang R. Shet, Technical Officer (Group 'B') Gazetted, TCP under the State Directorate of Craftsmen Training, Panaji for the interim period w.e.f. 11-06-2010 to 31-10-2010 as he is promoted on regular basis w.e.f. 01-11-2010 vide this office order No. 7/7/2006-IND/7697 dated 01-11-2010.

This is issued with the concurrence of the Goa Public Service Commission vide its communication No. COM/II/11/60(1)/03-09/2179 dated 20-12-2010.

*Aleixo F. da Costa*, State Director of Craftsmen Training & ex officio Joint Secretary.

Panaji, 5th January, 2011.

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Department of Law and Judiciary

## Law (Establishment) Division

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Order

No. 8/34/2005-LD(Estt.)/Vol.I/30

Read: Memorandum No. 8/34/2005-LD(Estt.)/Vol.I dated 9-11-2010.

1. On the recommendation of the Goa Public Service Commission vide their letter No. COM/I/5/55(1)/09/224 dated 7-09-2010, Government is pleased to appoint Shri Suraj Ramakant Vernekar to the post of Civil Registrar-cum-Sub-Registrar (Group "B" Gazetted) in the Pay Band—2 of Rs. 9,300-34,800 + Grade Pay Rs. 4,200/- in the Registration Department, with immediate effect.

2. Shri Suraj Ramakant Vernekar has been declared medically fit by the Medical Board. His character and antecedents have also been verified.

3. He shall be on probation for a period of two years.

4. His pay and allowances shall be debited to the Budget Head controlled by the Registration Department and shall be entitled for salary during the training as per Rules.

5. Consequent upon joining of Shri Suraj Ramakant Vernekar, he is deputed for one month training as under:

Headquarters, Panaji-Goa ... 10 days.  
Office of Civil Registrar-cum-Sub-... 10 days.  
-Registrar, Tiswadi  
Office of Civil Registrar-cum-Sub-... 10 days.  
-Registrar, Margao

By order and in the name of the Governor of Goa.

*N. P. Singnapurker*, Under Secretary, Law (Estt.).

Porvorim, 4th January, 2011.

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Department of Personnel—  
Order

No. 6/11/2009-PER

The Governor of Goa is pleased to order transfer of Shri L. S. Pereira, Additional Deputy Collector (Rent Control), Mapusa and post him as Chief Officer, Canacona Municipal Council, with immediate effect, in public interest, thereby relieving Shri Shiv Kumar, IAS, Deputy Collector & SDM, Canacona of the additional charge.

Shri Dasharath M. Redkar, Deputy Collector & SDM, Mapusa shall hold charge of the post of Additional Deputy Collector (Rent Control), Mapusa in addition to his own duties, until further orders.

Shri Shiv Kumar, IAS, shall draw his pay and allowances on the 'Leave & Training Reserve' post until further orders.

By order and in the name of the Governor of Goa.

*Umeshchandra L. Joshi*, Under Secretary (Personnel-I).

Porvorim, 4th January, 2011.

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Order

No. 6/10/2003-PER

Government is pleased to appoint Shri Prasanna A. Acharya, Senior Scale Officer of Goa Civil Service holding the post of Additional Collector-I, South to conduct inquiry against the person/ persons responsible for not filing the application under Section 14 of the Limitation Act, in accordance with the Order of the Hon'ble High Court dated 14-10-2010 in appeal under Arbitration

No. 8 of 2009 filed in the High Court of Bombay at Goa by the State of Goa represented by the Executive Engineer, Works Division VI, P.W.D., Fatorda, Margao v/s. Laxmikant D. Naik Karmali, resident of Borda, Margao.

Shri Acharya shall conduct such inquiry so as to ascertain the level at which the above lapse occurred and shall fix responsibility for the same on the person/persons responsible for such lapse and recover the costs from them, within a period of three months from 14-10-2010.

Shri Acharya shall complete the inquiry within the time limit prescribed in the Hon. High Court Order so as to enable the Appellant to file compliance report in the Hon. High Court of Bombay at Goa regarding the recovery of the costs within the said period.

By order and in the name of the Governor of Goa.

*Umeshchandra L. Joshi*, Under Secretary (Personnel-I).

Porvorim, 4th January, 2011.

#### Order

No. 7/1/92-PER(PF.)

Read: 1) Order No. 13/1/2009-PER dated 26-06-2009.

2) Order No. 13/1/2009-PER dated 30-06-2010.

The extension of ad hoc promotion of Shri V. B. N. Raikar, Ex-Commissioner, Labour and Employment, to the post of Commissioner, Labour and Employment, w.e.f. 01-07-2009 to 30-06-2010 and 01-07-2010 to 02-07-2010 granted vide orders read at 1 and 2 above respectively, has been concurred by the Goa Public Service Commission vide their letter No. COM/II/11/28(1)/2010/3047 dated 27-12-2010.

By order and in the name of the Governor of Goa.

*Umeshchandra L. Joshi*, Under Secretary (Personnel-I).

Porvorim, 7th January, 2011.

#### Department of Public Health

#### Order

No. 49/2/2006-I/PHD

Read: 1) Order No. 49/2/2006-I/PHD dated 05-12-2008.

2) Order No. 49/2/2006-I/PHD dated 04-11-2010.

3) Corrigendum No. 49/2/2006-I/PHD dated 01-12-2010.

The Government is pleased to extend the deputation period of Dr. Lalitha Umraskar, Medical Officer as Deputy Director (STD) in the Goa State Aids Control Society for a further period from 30-01-2011 to 29-01-2012.

The deputation of Dr. Lalitha Umraskar shall be governed by the standard terms of deputation as contained in OM No. 13/4/74-PER dated 12-02-1999 issued by the Department of Personnel, Secretariat and as amended from time to time.

By order and in the name of the Governor of Goa.

*D. G. Sardessai*, Joint Secretary (Health).

Porvorim, 30th December, 2010.

#### Order

No. 46/1/2006-I/PHD

Government is pleased to transfer the following Medical Officers under the Directorate of Health Services in public interest with immediate effect and post them to the places indicated against their names:-

Sr. No.	Name of the Officers	Present posting	Posted at
1	2	3	4
1.	Dr. Sandesh Madkaikar	PHC, Corlim	RMD Piedade (Divar).
2.	Dr. Kedar Raikar	Family Welfare Bureau, Directorate of Health Services	PHC, Corlim.

They stand relieved with effect from 04-01-2011 (a.n.) and should report to their respective place of posting by 05-01-2011 (b.n.).

By order and in the name of the Governor of Goa.

*D. G. Sardessai*, Joint Secretary (Health).

Porvorim, 4th January, 2011.

#### Order

No. 5/40/82-I/PHD

Government is pleased to accept the notice of Voluntary Retirement under Rule 48-A of the Central Civil Service (Pension) Rules, 1972 given by Dr. Nishitkumar Naik, Health Officer, Primary Health Centre, Bali under Directorate of Health Services vide his letter/application dated

10-02-2009 w.e.f. 10-05-2009 (b.n.). He stands relieved from Government service w.e.f. the date cited above subject to the recovery of following dues outstanding against him.

#### **Motor Car**

Principal : Rs. 22,176/- (considering regular recovery @ Rs. 1584/- upto April, 2009)

Interest: Rs. 91,901/-

This issues in supersession to this Department's Order of even number dated 03-09-2009.

By order and in the name of the Governor of Goa.

*D. G. Sardessai*, Joint Secretary (Health).

Porvorim, 6th January, 2011.



### **Department of Revenue**

#### **Order**

No. 22/1/2009-RD

Whereas, the Government of Goa, vide Notification No. 22/1/2009-RD dated 03-02-2009, issued under sub-section (1) of Section 4 of the Land Acquisition Act, 1894 (Act 1 of 1894) (hereinafter referred to as the "said Act"), and published in the Official Gazette, Series II No. 46 dated 12-02-2009, notified that the land specified in the Schedule thereof (hereinafter referred to as the "said land") is likely to be needed for public purpose viz. Land Acquisition for construction of approach link road at Mercurim Village Agassaim, Tiswadi, Goa (hereinafter referred to as the "said public purpose");

And whereas, the Government of Goa considered the report made by the Collector under sub-section (2) of Section 5A of the said Act and on being satisfied that the said land is needed for the said public purpose, vide Notification No. 22/1/2009-RD dated 05-02-2010, issued under Section 6 of the said Act, and published in the Official Gazette, Series II No. 46 dated 11-02-2010, declared that the said land is required for the said public purpose.

Now, therefore, in exercise of the powers conferred by Section 7 of the Land Acquisition Act, 1894 (Act 1 of 1894), the Government of Goa hereby directs the Collector, North Goa District, Panaji to take the order for acquisition of the said land.

By order and in the name of the Governor of Goa.

*Pandharinath N. Naik*, Under Secretary (Rev-I).

Porvorim, 5th January, 2011.

#### **Order**

No. 23/57/2008-RD

Whereas, the Government of Goa, vide Notification No. 23/57/2008-RD dated 30-12-2008, issued under sub-section (1) of Section 4 of the Land Acquisition Act, 1894 (Act 1 of 1894) (hereinafter referred to as the "said Act"), and published in the Official Gazette, Series II No. 41 dated 08-01-2009, notified that the land specified in the Schedule thereof (hereinafter referred to as the "said land") is likely to be needed for public purpose viz. Land Acquisition for const. of road in the existing available land including retaining wall at Tolleband in V. P. Chinchinim in Velim Constituency (hereinafter referred to as the "said public purpose");

And whereas, the Government of Goa, considered the report made by the Collector under sub-section (2) of Section 5-A of the said Act and on being satisfied that the said land is needed for the said public purpose, vide Notification No. 23/57/2008-RD dated 10-11-2010, issued under Section 6 of the said Act and published in the Official Gazette, Series II No. 31 dated 23-12-2010, declared that the said land is required for the said public purpose.

Now, therefore, in exercise of the powers conferred by Section 7 of the Land Acquisition Act, 1894 (Act 1 of 1894), the Government of Goa hereby directs the Collector, South Goa District, Margao-Goa to take the order for acquisition of the said land.

By order and in the name of the Governor of Goa.

*Pandharinath N. Naik*, Under Secretary (Rev-I).

Porvorim, 5th January, 2011.

#### **Notification**

No. 23/46/2009-RD

Whereas it appears to the Government of Goa (hereinafter referred to as "the Government") that the land specified in the Schedule hereto (hereinafter referred to as the "said land") is likely to be needed for public purpose viz. L. A. for const. of road from Kelbai to Magilpath in V. P. Curti, Candepar in Ponda Constituency.

Now, therefore, the Government hereby notifies under sub-section (1) of Section 4 of the Land Acquisition Act, 1894 (Central Act 1 of 1894) (hereinafter referred to as "the said Act") that said land is likely to be needed for the purpose specified above.



2. All persons interested in the said land are hereby warned not to obstruct or interfere with any surveyor or other persons employed upon the said land for the purpose of the said acquisition. Any contract for the disposal of the said land by sale, lease, mortgage, assignment, exchange or otherwise or any outlay commenced or improvements made thereon without the sanction of the Collector appointed under paragraph 4 below, after the date of the publication of this notification, will under clause (seventh) of Section 24 of the said Act be disregarded by him while assessing compensation for such parts of the said land as may be finally acquired.

3. If the Government is satisfied that the said land is needed for the aforesaid purpose, a declaration to that effect under Section 6 of the said Act will be published in the Official Gazette and in two daily newspapers and public notice thereof shall be given in due course. If the acquisition is abandoned wholly or in part, the fact will also be notified in the same manner.

4. The Government further appoints under clause (c) of Section 3 of the said Act, the Land Acquisition Officer, PWD (Cell), Altinho, Panaji-Goa to perform the functions of the Collector, under the said Act in respect of the said land.

5. The Government also authorizes under sub-section (2) of Section 4 of the said Act, the following Officers to do the acts, specified therein in respect of the said land.

1. The Collector, North Goa District, Panaji-Goa.
2. The Land Acquisition Officer, PWD (Cell), Altinho, Panaji-Goa.
3. The Executive Engineer, W.D. XVIII (Roads), P.W.D., Ponda-Goa.
4. The Director of Settlement and Land Records, Panaji-Goa.

6. A rough plan of the said land is available for inspection in the Office of the Land Acquisition Officer, PWD (Cell), Altinho, Panaji-Goa for a period of 30 days from the date of publication of this Notification in the Official Gazette.

#### SCHEDULE

(Description of the said land)

Taluka: Ponda

Village: Curti

Survey No./ Sub-Div. No.	Names of the persons believed to be interested	Approx. area in sq. mts.
1	2	3
16/7	part O: Pandhari Mahadev Karkar.	335
16/8	part O: Gurudas Crisna Gaude.	305

1	2	3
16/9	part O: Gharu Raya Shenvi Kelkar. 430 T: Krishna Kalu Gaudo. Sazro Kalu Gaudo.	
16/10	part O: Sakharam Mangesh Gauda. 740 T: Dulo Rama Sattarikar. Govind Gopal Gaude.	
12/1	part Form I & XIV is not available in Mamlatdar Office.	1640
13/1-A	part O: Bhiku Govind Kerkar. 570.25 sq. mts.	2015
3/1	part O: Vithal Ghanashyam Kundaikar. T: Bablo Rama Gawdo.	4100

#### Boundaries :

North: S. No. 16/6, Road.

South: S. No. 3/1.

East : S. No. 16/7, 8, 9, 10, 12/1,  
13/1-A, 3/1, Road.

West : S. No. 16/7, 8, 9, 10, 12/1,  
13/1-A, 3/2, 3/1.

Total: 9565

By order and in the name of the Governor  
of Goa.

*Pandharinath N. Naik*, Under Secretary (Rev-I).

Porvorim, 28th December, 2010.

#### Notification

No. 23/15/2010-RD

Whereas it appears to the Government of Goa (hereinafter referred to as "the Government") that the land specified in the Schedule hereto (hereinafter referred to as the "said land") is likely to be needed for public purpose, viz. L. A. for construction of new road from Kandlem Sluice Gate to St. Sebastian Chapel at Kherwada in V. P. Chodan Madel, Tiswadi Taluka.

1. Now, therefore, the Government hereby notifies under sub-section (1) of Section 4 of the Land Acquisition Act, 1894 (Central Act 1 of 1894) (hereinafter referred to as "the said Act") that said land is likely to be needed for the purpose specified above.

2. All persons interested in the said land are hereby warned not to obstruct or interfere with any surveyor or other persons employed upon the said land for the purpose of the said acquisition.

Any contract for the disposal of the said land by sale, lease, mortgage, assignment, exchange or otherwise or any outlay commenced or improvements made thereon without the sanction of the Collector appointed under paragraph 4 below, after the date of the publication of this notification, will under clause (seventh) of Section 24 of the said Act be disregarded by him while assessing compensation for such parts of the said land as may be finally acquired.

3. If the Government is satisfied that the said land is needed for the aforesaid purpose, a declaration to that effect under Section 6 of the said Act will be published in the Official Gazette and in two daily newspapers and public notice thereof shall be given in due course. If the acquisition is abandoned wholly or in part, the fact will also be notified in the same manner.

4. The Government further appoints under clause (c) of Section 3 of the said Act, the Land Acquisition Officer, PWD (Cell), Altinho, Panaji-Goa to perform the functions of the Collector, under the said Act in respect of the said land.

5. The Government also authorizes under sub-section (2) of Section 4 of the said Act, the following Officers to do the acts, specified therein in respect of the said land.

1. The Collector, North Goa District, Panaji-Goa.
2. The Land Acquisition Officer, PWD (Cell), Altinho, Panaji-Goa.
3. The Executive Engineer, WD-II (R), PWD, Mapusa-Goa.
4. The Director of Settlement and Land Records, Panaji-Goa.

6. A rough plan of the said land is available for inspection in the Office of the Land Acquisition Officer, PWD (Cell), Altinho, Panaji-Goa for a period of 30 days from the date of publication of this Notification in the Official Gazette.

## SCHEDULE

(Description of the said land)

Taluka: Tiswadi

Village: Chorao

Survey No./ Sub-Div. No.	Names of the persons believed to be interested	Area in sq. mts.
1	2	3
334/1 part O:	Maria D'Souza. House owed by: 1) Shantaram Krishna Fondekar.	628

1	2	3
333	O: 2) Pandurang Krishna Fondekar. Ernestina de Gama. Maria Gama. Adolfo Gama. House owed by: 1) Bicu Govind Volvoikar. 2) Babi Govind Volvoikar.	1676
332/1 part O:	Joaquim D'Souza. House owed by: Dilip Jairam Fondekar.	452
332/2 part O:	1) Babuli Saco Kalangutkar. 2) Mahadeo Krishna Kundaikar. House owed by: Mahadeo Saco Kalangutkar.	461
339/1 part O:	1) Gaspar Joao B. Pacheco. 2) Ana Rosa Pacheco. House Occupied by: Vishwanath Kusta Fondekar.	600
339/2 part O:	1) Gaspar Joao B. Pacheco. 2) Ana Rosa Pacheco. T: Chandrakant Kusta Fondekar.	841
339/8 part O:	1) Santan Philip Pacheco.	266
340/1 part O:	Prava Rai.	439
340/2 part O:	Prava Rai.	197
340/3 part O:	Prava Rai.	250
341/1-A part O:	1) Hanumant B. Kalangutkar. 2) Sudna R. Kalangutkar. 3) Shamba S. Kalangutkar. 4) Suresh S. Kalangutkar. 5) Vassudev R. Kalangutkar.	407
341/2 part O:	1) Jose Nicolau Sacrata- milia dos Reis. 2) Pedro Francisco Joaquim Calisto dos. 3) Reis. House Occupied by: Vishwanath Shankar Amonkar.	501
328/3 part O:	Nicolau Colaso. T: Rohidas Manguesh Chodankar.	205
328/7 part O:	Comunidade of Chorao. T: Sitabai Rama Kalangutkar.	9

1	2	3
328/8 part O:	Comunidade of Chora. 18	
T:	Jose Francisco Noronha.	
328/14 part O:	Comunidade of Chora. 164	
328/10 part O:	1) Comunidade of Chora. 36	
	2) Rohidas Naguesh Chodankar.	
328/15 part O:	Nicolau Colaco. 18	
T:	Pundalik Mahadeo Chodankar.	
346/1 part O:	Etu Antonio Sequeira. 1096	
	House Occupied by:	
	1) Dharma Mahadeo Chodankar.	
	2) Rohidas Manguesh Chodankar.	
	3) Laxman Yeshi Chodankar.	
	4) Kanta Nagesh Chodankar.	
	5) Balkrishna Nagesh Chodankar.	
	6) Prakash Dharma Chodankar.	
347/1 part O:	Jose Filip Guilherme Vaz. 139	
T:	Rohidas Maguesh Chodankar.	
347/10 part O:	1) Ramesh Dharma Usgaonkar. 160	
	2) Gajanan Dharma Usgaonkar.	
347/5 part O:	Caetano Francisco Noronha. 333	
T:	Mukund Narayan Mulgaonkar.	
<i>Boundaries :</i>		
North:	S. No. 333/17, 18, 12, 13, 14, 330/6, 7, 4, 10, 8, 5, 9, 328/1, 3, 6, 7, 8, 14, 10, 15, 12, 13, S. No. 326.	
South:	S. No. 334/1, 2, 333, 332/1, 2, 339/1, 2, 3, 8, 340/1, 2, 3, 341/1-A, 2, 346/1, 347/1, 10, 5.	
West :	S. No. 331/17, 18, 325/1.	
		Total: 8896

By order and in the name of the Governor of Goa.

*Pandharinath N. Naik*, Under Secretary (Rev-I).  
Porvorim, 3rd January, 2011.

**Notification**

No. 22/28/2010-RD

Whereas it appears to the Government of Goa (hereinafter referred to as "the Government") that the land specified in the Schedule hereto (hereinafter referred to as the "said land") is likely to be needed for public purpose, viz. Land Acquisition for Garbage Treatment Plant at Sonsodo, Margao City of Salcete Taluka.

Now, therefore, the Government hereby notifies under sub-section (1) of Section 4 of the Land Acquisition Act, 1894 (Central Act 1 of 1894) (hereinafter referred to as "the said Act") that said land is likely to be needed for the purpose specified above.

2. All persons interested in the said land are hereby warned not to obstruct or interfere with any surveyor or other persons employed upon the said land for the purpose of the said acquisition. Any contract for the disposal of the said land by sale, lease, mortgage, assignment, exchange or otherwise or any outlay commenced or improvements made thereon without the sanction of the Collector appointed under paragraph 4 below, after the date of the publication of this notification, will under clause (seventh) of Section 24 of the said Act be disregarded by him while assessing compensation for such parts of the said land as may be finally acquired.

3. If the Government is satisfied that the said land is needed for the aforesaid purpose, a declaration to that effect under Section 6 of the said Act will be published in the Official Gazette and in two daily newspapers and public notice thereof shall be given in due course. If the acquisition is abandoned wholly or in part, the fact will also be notified in the same manner.

4. The Government further appoints under clause (c) of Section 3 of the said Act, the Dy. Collector & SDO, Margao, to perform the functions of a Collector, South Goa District, Margao, Goa under the said Act in respect of the said land.

5. The Government also authorizes under sub-section (2) of Section 4 of the said Act, the following Officers to do the acts, specified therein in respect of the said land.

1. The Collector, South Goa District, Margao-Goa.
2. The Dy. Collector & SDO, Margao, Goa.
3. The Chief Officer, Margao Municipal Council, Margao-Goa.
4. The Director of Settlement and Land Records, Panaji-Goa.

6. A rough plan of the said land is available for inspection in the Office of the Dy. Collector & SDO, Margao, Goa for a period of 30 days from the date of publication of this Notification in the Official Gazette.

#### SCHEDULE

(Description of the said land)

Taluka: Salcete		City: Margao
PT. Sheet No./ Chalta No.	Name of the person believed to be interested	Approx. area in sq. mts.
1	2	3
1 (Part)84	Comunidade of Margao.	57700
<i>Boundaries :</i>		
North: Village Raia.		
South: Chalta No. 1/P.T.S. No. 84.		
East : Village Raia.		
West : Chalta No. 1 of P. T. S. No. 84, Chalta No. 6 of P. T. S. No. 54.		
		Total: 57700

By order and in the name of the Governor  
of Goa.

*Pandharinath N. Naik*, Under Secretary (Rev-I).

Porvorim, 4th January, 2011.

#### Notification

No. 23/21/2010-RD

Whereas by Government Notification No. 23/21/2010-RD dated 16-09-2010 published on Official Gazette, No. 27 Series II dated 30-09-2010 and in two newspapers (1) "Herald" dated 17-09-2010 and (2) "Gomantak" dated 17-09-2010, it was notified under Section 4 of the Land Acquisition Act, 1894 (Central Act 1 of 1894) (hereinafter referred to as "the said Act"), that the land specified in the Schedule appended to the said Notification (hereinafter referred to as the said land), was needed for the public purpose, viz. L. A. for const. of road at 2nd Palvem Chinchinim under Survey Nos. 9/5, 14, 15, 16, 18, 19, and 20 in Village Panchayat Chinchinim-Deussua, Salcete Taluka (addl. area).

And whereas, the Government of Goa (hereinafter referred to as "the Government") after considering the report made under sub-section (2) of Section 5-A the said Act is satisfied that the land specified in the Schedule hereto is needed for

the public purpose specified above (hereinafter referred to as "the said land").

Now, therefore, the Government hereby declares, under the provisions of Section 6 of the said Act that the said land is required for the public purpose specified above.

2. The Government also hereby appoints, under clause (c) of Section 3 of the said Act, the Block Development Officer, Salcete, Margao-Goa to perform the functions of the Collector for all proceedings hereinafter to be taken in respect of the said land and directs him under Section 7 of the said Act to take order for the acquisition of the said land.

3. A plan of the said land can be inspected at the Office of the Block Development Officer, Salcete, Margao-Goa till the award is made under Section 11.

#### SCHEDULE

(Description of the said land)

Taluka: Salcete		Village: Deussua
Survey No./ Sub-Div. No.	Names of the persons believed to be interested	Approx. area in sq. mts.
1	2	3
9 18-A	1) Josefina Suzie Lacerda. 2) Antonio Menino Lacerda.	40
<i>Boundaries :</i>		
North : S. No. 9/14.		
South : S. No. 9/18-A.		
East : S. No. 9/19.		
West : S. No. 9/14.		
		Total: 40

By order and in the name of the Governor  
of Goa.

*Pandharinath N. Naik*, Under Secretary (Rev-I).

Porvorim, 5th January, 2011.

#### Notification

No. 22/22/2010-RD

Whereas by Government Notification No. 22/22/2010-RD dated 23-07-2010 published on pages 396 to 397 of Series II No. 18 of the Official Gazette dated 29-07-2010 and in two newspapers (1) "Goa Doot" dated 23-08-2010 and (2) "Herald" dated



23-08-2010, it was notified under Section 4 of the Land Acquisition Act, 1894 (Central Act 1 of 1894) (hereinafter referred to as "the said Act"), that the land specified in the Schedule appended to the said Notification (hereinafter referred to as the said land), was needed for the public purpose, viz. Land Acquisition for construction of burial ground at Sonsodo.

And whereas, the Government of Goa (hereinafter referred to as the "Government") being of the opinion that the acquisition of the said land is urgently necessary, hereby applies the provisions of sub-section (1) and sub-section (4) of Section 17 the said Act and directs that the Collector appointed under paragraph 2 below, shall, at any time, on the expiry of fifteen days from the date of the publication of the notice relating to the said land under sub-section (1) of Section 9 of the said Act, take possession of the said land.

Now, therefore, the Government hereby declares, under the provisions of Section 6 of the said Act that the said land is required for the public purpose specified above.

2. The Government also hereby appoints, under clause (c) of Section 3 of the said Act, the Dy. Collector/SDO, Salcete, Margao to perform the functions of the Collector, South Goa District, Margao-Goa, for all proceedings hereinafter to be taken in respect of the said land and directs him under Section 7 of the said Act to take order for the acquisition of the said land.

3. A plan of the said land can be inspected at the Office of the Dy. Collector/SDO, Salcete, Margao, till the award is made under Section 11.

#### SCHEDULE

(Description of the said land)

Taluka: Salcete		City: Margao
P.T. Sheet No./ Chalta No.	Names of the persons believed to be interested	Approx. area in sq. mts.
1	2	3
50 1	Comunidade of Margao.	14100
49 1(part)	Mrs. Aninha Fernandes.	16091

#### Boundaries :

North : Village boundary of Raia.

South : Chalta No. 2, 6 of  
P. T. Sheet No. 50

1	2	3
East	: Village boundary of Raia, Road.	
West	: Chalta No. 1(Part) of P. T. Sheet No. 49.	
		Total: 30191

By order and in the name of the Governor  
of Goa.

*Pandharinath N. Naik*, Under Secretary (Rev-I).

Porvorim, 5th January, 2011.

#### Notification

No. 23/32/2010-RD

Whereas it appears to the Government of Goa (hereinafter referred to as "the Government") that the land specified in the Schedule hereto (hereinafter referred to as the "said land") is likely to be needed for public purpose, viz. L. A. for const. 400 cu. m. capacity sump pump house at Panchbhat in Village Curtorim of Salcete Taluka.

Now, therefore, the Government hereby notifies under sub-section (1) of Section 4 of the Land Acquisition Act, 1894 (Central Act 1 of 1894) (hereinafter referred to as "the said Act") that said land is likely to be needed for the purpose specified above.

2. All persons interested in the said land are hereby warned not to obstruct or interfere with any surveyor or other persons employed upon the said land for the purpose of the said acquisition. Any contract for the disposal of the said land by sale, lease, mortgage, assignment, exchange or otherwise or any outlay commenced or improvements made thereon without the sanction of the Collector appointed under paragraph 4 below, after the date of the publication of this notification, will under clause (seventh) of Section 24 of the said Act be disregarded by him while assessing compensation for such parts of the said land as may be finally acquired.

3. If the Government is satisfied that the said land is needed for the aforesaid purpose, a declaration to that effect under Section 6 of the said Act will be published in the Official Gazette and in two daily newspapers and public notice thereof shall be given in due course. If the acquisition is abandoned wholly or in part, the fact will also be notified in the same manner.

4. The Government further appoints under clause (c) of Section 3 of the said Act, the Deputy Collector (Rev), South Goa District, Margao-Goa to perform the functions of a Collector, under the said Act in respect of the said land.

5. The Government also authorizes under sub-section (2) of Section 4 of the said Act, the following Officers to do the acts, specified therein in respect of the said land.

1. The Collector, South Goa District, Margao-Goa.
2. The Deputy Collector (Rev), South Goa District, Margao-Goa.
3. The Executive Engineer, W.D. IX (PHE), P.W.D., Fatorda, Margao-Goa.
4. The Director of Settlement and Land Records, Panaji-Goa.

6. A rough plan of the said land is available for inspection in the Office of the Deputy Collector (Rev), South Goa District, Margao-Goa, for a period of 30 days from the date of publication of this Notification in the Official Gazette.

#### SCHEDULE

(Description of the said land)

Taluka: Salcete		Village: Curtorim
Survey No./ Sub-Div. No.	Name of the person believed to be interested	Approx. area in sq. mts.
1	2	3
451 4	O: Franklin Lourenco.	504

#### Boundaries :

North : S. No. 451/4.

South : S. No. 451/10.

East : S. No. 451/2.

West : S. No. 451/4.

Total: 504

By order and in the name of the Governor  
of Goa.

*Pandharinath N. Naik*, Under Secretary (Rev-I).

Porvorim, 5th January, 2011.

#### Notification

No. 22/20/2009-RD

Whereas by Government Notification No. 22/20/2009-RD dated 12-01-2010 published on pages 1139 to 1140 of Series II No. 43 of the Official

Gazette, dated 21-01-2010 and in two newspapers (1) "Times of India" dated 16-01-2010 (2) "Lokmat" dated 16-01-2010, it was notified under Section 4 of the Land Acquisition Act, 1894 (Central Act 1 of 1894) (hereinafter referred to as "the said Act") that the land, specified in the Schedule appended to the said Notification was likely to be needed for the public purpose viz. Land Acquisition for construction of road at Kantarwada.

And whereas, the Government of Goa (hereinafter referred to as "the Government") after considering the report made under sub-section (2) of Section 5-A of the said Act is satisfied that the land specified in the Schedule hereto is needed for the public purpose specified above (hereinafter referred to as "the said land").

Now, therefore, the Government hereby declares, under the provisions of Section 6 of the said Act that the said land is required for the public purpose specified above.

2. The Government also appoints, under clause (c) of Section 3 of the said Act, the Deputy Collector & S.D.O., Bicholim, to perform the functions of a Collector, North Goa District Panaji, for all proceedings hereinafter to be taken in respect of the said land and directs him under Section 7 of the said Act to take order for the acquisition of the said land.

3. A plan of the said land can be inspected at the Office of the said Deputy Collector & S.D.O., Bicholim, Goa, till the award is made under Section 11.

#### SCHEDULE

(Description of the said land)

Taluka: Bicholim		Village: Bicholim
Survey No./ Sub-Div. No.	Names of the persons believed to be interested	Approx. area in sq. mts.
1	2	3
70/3 part	O: Marcus Fernandes. Thomas Fernandes. Sebastiao Fernandes. Conecicao S. Fernandes e Gomes. Sylvia M. De O Gomes. Ligia M. De O Gomes. Joao Nazareth Godinho. Yvonhe F. De O Gomes. Lucio Orneles Gomes. Mitzy R. Gomes. Chandrakant Barkelo Naik.	290

1	2	3
	Sharadchandra Madhu Sawant.	
	Vasant Sawalaram Yende.	
	Yeshwant Pandurang Pednekar.	
	Vijay Ganpat Mandrekar.	
	Josefina Conceicao Fernandes.	
70 3-A Part O:	Pascoal Antonio Fernandes.	125
	Cirila Getrudes Fernandes.	
	Agnelo D'Souza.	
	Maria Severina R. V. Fernandes alias Marcelina Fernandes.	
	Pedro Joao J. Fernandes alias Peter Fernandes.	
	Paulo Geraldo Fernandes.	
	Shashikant Narayan Desai.	
	Mahendra Vasudev Mandrekar.	
<i>Boundaries :</i>		
	North: S. No. 70/2, 3-A, 70/3.	
	South: S. No. 74/1, 70/3-A, 70/3.	
	East : S. No. 70/3, 70/3-A.	
	West : S. No. 70/3, 70/3-A.	
		Total: 415

By order and in the name of the Governor of Goa.

*Pandharinath N. Naik*, Under Secretary (Rev-I).  
Porvorim, 4th January, 2011.

#### Notification

No. 22/3/2010-RD

Whereas by Government Notification No. 22/3/2010-RD dated 21-04-2010 published on page 110 of Series II No. 5 of the Official Gazette, dated 21-04-2010 and in two newspapers (1) "Navhind Times" dated 23-04-2010 (2) "Pudhari" dated 23-04-2010, it was notified under Section 4 of the Land Acquisition Act, 1894 (Central Act 1 of 1894) (hereinafter referred to as "the said Act") that the land, specified in the Schedule appended to the said Notification was likely to be needed for the public purpose viz. Land Acquisition for dumping of Municipal garbage by constructing aerobic composting station and landfill site at Village Cacora, Quepem Taluka.

And whereas, the Government of Goa (hereinafter referred to as "the Government") after considering the report made under sub-section (2) of Section 5-A of the said Act is satisfied that the land specified in the Schedule hereto is needed for the public purpose specified above (hereinafter referred to as "the said land").

Now, therefore, the Government hereby declares, under the provisions of Section 6 of the said Act that the said land is required for the public purpose specified above.

2. The Government also appoints, under clause (c) of Section 3 of the said Act, the Deputy Collector & S.D.O., Quepem-Goa, to perform the functions of a Collector, South Goa District Margao-Goa, for all proceedings hereinafter to be taken in respect of the said land and directs him under Section 7 of the said Act to take order for the acquisition of the said land.

3. A plan of the said land can be inspected at the Office of the said Deputy Collector & S.D.O., Quepem-Goa, till the award is made under Section 11.

#### SCHEDULE

(Description of the said land)

Taluka: Quepem		Village: Cacora
Survey No./ Sub-Div. No.	Names of the persons believed to be interested	Approx. area in sq. mts.
1	2	3
165/1 p	O: Narottam Hiru Kakodkar.	2185
164/8 p	O: Narottam Hiru Kakodkar.	500
167	O: Comunidade of Cacora.	16600
168/1	O: Shri Deu Vithal.	45700
T: 1. Vassudev Tari.		
2. Nagesh Tari.		
3. Ramchandra Tari.		
4. Diago Fernandes.		
5. Pascal Fernandes.		
6. Francisco Fernandes.		

#### Boundaries:

North: S. No. 164/16, 164/15, 164/14, 164/8, 169.

South: S. No. 165/1, 164/8, 166/17, 16, 14, 166/12, 11, 6, 4, 5, 3, 170/2.

1	2	3
	East : S. No. 165/1, 168/2, 164/1, 8, 165, Nalla, Road.	
	West : S. No. 165/1, 168/2, 170/2.	
		Total: 64,985

By order and in the name of the Governor  
of Goa.

*Pandharinath N. Naik*, Under Secretary (Rev-I).  
Porvorim, 4th January, 2011.



## Department of Sports & Youth Affairs

Office of the Secretary (Sports)

—

### Notification

No. NGS/2010/RFP/Consultant/2010-11/4573

Approval of the Government is hereby  
conveyed for constitution of the Bid Evaluation  
Committee (BEC), consisting of the following  
members:

- |   |                        |
|---|------------------------|
| 1. Dr. M. Modassir<br>Secretary (Sports)                          | — Chairman.            |
| 2. Shri Anand Sherkhane<br>Joint Secretary (Budget)               | — Member.              |
| 3. Shri J. J. Rego<br>Principal Chief Engineer, PWD               | — Member.              |
| 4. Shri Anupam Kishore,<br>Director, PPP                          | — Member.              |
| 5. Shri Morad Ahmed,<br>Chief Town Planner,<br>T & C P Department | — Member.              |
| 6. Shri Shravan Dubhashi,<br>Member, SAG, Margao-Goa              | — Special<br>Invitee.  |
| 7. Shri V. M. Prabhu Desai,<br>Executive Director, SAG            | — Member<br>Secretary. |

The Committee will scrutinize and evaluate the  
Technical and Financial Bids as explained in the  
RFP document under clause 3; **"criteria for  
evaluation"**.

By order and in the name of the Governor  
of Goa.

*Dr. M. Modassir*, Secretary (Sports).

Porvorim, 10th January, 2011.

## Department of Tourism

—

### Notification

No. 3/3(9220)11/DT/5350

In terms of Article 107 of the Articles of  
Association of Goa Tourism Development  
Corporation Ltd., (hereinafter called the said  
Corporation) the Governor of Goa is pleased to  
appoint the following persons as Directors of the  
Goa Tourism Development Corporation Limited,  
with immediate effect namely:

- |   |             |
|---|-------------|
| 1. Shri Shyam Satardekar,<br>MLA, Curchorem                     | — Director. |
| 2. Shri Ashok Naik  | — Director. |
| 3. Shri Lester Barreto  | — Director. |
| 4. President, TTAG  | — Director. |
| 5. Secretary (Finance)  | — Director. |
| 6. Secretary (Tourism)  | — Director. |
| 7. Captain of Ports   | — Director. |
| 8. Director (Tourism)   | — Director. |
| 9. Managing Director,<br>Goa Tourism Development<br>Corporation | — Director. |

In terms of Article 117 of the Article of  
Association of Goa Tourism Development  
Corporation Limited, Governor of Goa further  
nominates Shri Shyam Satardekar, MLA,  
Curchorem as Chairman of the Corporation.

This supersedes all previous Notifications issued  
in this behalf from time to time.

By order and in the name of the Governor  
of Goa.

*Swapnil M. Naik*, Director of Tourism & ex officio  
Joint Secretary.

Panaji, 5th January, 2011.

### Corrigendum

No. 3/3(9220)/11-DT/5409

Read: Notification No. 3/3(9220)/11-DT/5330  
dated 05-01-2011.

The name of Shri Lestor Barreto appearing at  
Sr. No. 3 as Director of Goa Tourism Development  
Corporation Ltd., in the notification referred to  
above shall be corrected to be read as Shri Lestor  
D'Mello.

By order and in the name of the Governor  
of Goa.

*S. M. Naik*, Director of Tourism & ex officio Joint  
Secretary.

Panaji, 6th January, 2011.



## Department of Transport

Directorate of Transport

## Notification

No. D.Tpt/EST/1452/203/2011/88

Read: Notification No. D.Tpt/EST/1452/203/  
/2008-09/1086 dated 26-05-2008.

In partial modification to the Notification No. D. Tpt/EST/1452/203/2008-09/1086 dated 26-05-2008, Government is pleased to amend sub-clause (iv) of Clause 9 of Notification No. D.Tpt/EST/1452/2001/1339 dated 19-09-2001 of the Goa State Subsidy for Replacement of Old Passenger Buses Scheme, 2001, as follows:

“(4) Shri Venkatesh Anant Naik, — Member”.  
Representative of Bus  
Owners’ Association

By order and in the name of the Governor  
of Goa.

*Arun L. Desai*, Director (Transport).

Panaji, 10th January, 2011.

## Notification

No. D.Tpt/EST/1902/2010/51

Government is pleased to constitute a Traffic Regulatory Committee for South Goa District in order to regulate traffic and take preventive measures to decongest traffic in South Goa, especially in Margao. The Committee shall consist of the following officials of Line Department as Members:

- |   |                  |
|---|------------------|
| 1. District Magistrate  | — Chairman.      |
| 2. Additional District Magistrate                             | — Vice-Chairman. |
| 3. Superintendent of Police (South)                           | — Member.        |
| 4. Superintendent of Police (Traffic), Panaji                 | — Member.        |
| 5. Sub-Divisional Magistrate, Margao/Quepem/Canacona/Mormugao | — Members.       |
| 6. Dy. Superintendent of Police (Traffic), Margao             | — Member.        |
| 7. Superintending Engineer, Circle IV, Margao                 | — Member.        |
| 8. Superintending Engineer, (NH), Circle IX, Panaji           | — Member.        |

- |  |            |
|--|------------|
| 9. Superintending Engineer, Circle VI, Panaji  | — Member.  |
| 10. Superintending Engineer, Circle, I, WRD, Margao  | — Member.  |
| 11. Superintending Engineer, Electricity Department, Margao  | — Member.  |
| 12. The Dy. General Manager (South), Telecommunications, Margao  | — Member.  |
| 13. Chief Executive Officer, Zilla Panchayat, South Goa Arlem, Raia  | — Member.  |
| 14. Senior Town Planner, Town & Country Planning Department, Margao  | — Member.  |
| 15. Chief Officer, Margao Municipal Council/Quepem Municipal Council/Cacora-Curchorem Municipal Council/Sanguem Municipal Council/Canacona Municipal Council/Cuncolim Municipal Council/Mormugao Municipal Council | — Members. |
| 16. Municipal Engineer, Mormugao Municipal Council   | — Member.  |
| 17. Municipal Engineer, Margao Municipal Council   | — Member.  |
| 18. Assistant Director of Transport (Enforcement), South Goa, Arlem, Margao  | — Member.  |
| 19. Assistant Director of Transport, Quepem/Mormugao   | — Member.  |
| 20. Dy. Director of Panchayats, South Goa, Margao  | — Member.  |
| 21. Representative of MARG, Margao   | — Member.  |
| 22. Representative of Goa State Engineers’ Association, Panaji   | — Member.  |
| 23. Representative of Indian Institute of Architects, Goa Chapter, Panaji  | — Member.  |

The Committee shall meet every month.

By order and in the name of the Governor  
of Goa.

*Arun L. Desai*, Director (Transport).

Panaji, 6th January, 2011.

## Department of Water Resources

Office of the Chief Engineer

—  
Addendum

No. 3/25-5/87/CE-WR/1149

Read: Order No. 3/25-5/87/CE-WR/847 dated 26-10-2010.

In this office order cited above, after 2nd para 3rd, 4th, 5th and 6th paras may be read as under:

The promotee, Shri S. Paramasivam shall be on deputation in Goa Tillari Irrigation Development Corporation, initially for a period upto 31-05-2011 and it shall be governed as per the standard terms and conditions stipulated in the Government O.M. No. 13-4-74-PER dated 12-02-1999 and as amended from time to time.

The Goa Tillari Irrigation Development Corporation shall be liable to pay the salaries and other allowances to the promotee, Shri S. Paramasivam from their funds as per the sub-section (6) of Section 16 of the aforesaid Act.

The Goa Tillari Irrigation Development Corporation shall be liable to pay to the Government leave salary and pension contribution to the promotee, Shri S. Paramasivam at the prescribed rate.

No deputation allowances shall be admissible to the promotee, Shri S. Paramasivam in view of sub-section (5) of Section 16 of G.T.I.D.C. Act, 1999.

By order and in the name of the Governor of Goa.

*S. T. Nadkarni*, Chief Engineer (W.R.) and ex officio Addl. Secretary.

Panaji, 7th January, 2011.

## Department of Women &amp; Child Development

Directorate of Women &amp; Child Development

—  
Order

No. 2-109(5)-2010/DWCD/1194

Read: Notification No. 2-109(5)-2010/DWCD/65 dated 28-8-2009.

In exercise of the powers conferred by Section 5(1) of the Juvenile Justice Act, 2000 read with the rules thereunder in force, the Government is hereby to order that the Two Social Workers appointed as Members of the Juvenile Justice Board constituted for North Goa District and South Goa District under the Juvenile Justice (Care & Protection of Children) Act, 2000 vide above referred Notification shall sit for three days in a week for minimum of four hours per day and assist the Principal Magistrate in the proceedings of the Juveniles in conflict with law.

By order and in the name of the Governor of Goa.

*Sanjiv M. Gadkar*, Director & ex officio Joint Secretary (W&CD).

Panaji, 6th January, 2011.

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Notification

No. 2-109(5)-2008/DWCD/63

Read: i) Notification No. 2-109(5)-2008/DWCD/1194 dated 28-8-2009.

ii) Corrigendum No. 2-109(5)-2008/DWCD/2084 dated 1-12-2009.

The Government is please to withdraw the Corrigendum dated 1-12-2009 referred at Sr. No. (ii) above with immediate effect.

The Juvenile Justice Board constituted vide Notification referred at (i) above for the South Goa District will have its sittings in Apna Ghar, Mercas, Goa and shall deal the cases of South Goa jurisdiction until further orders.

By order and in the name of the Governor of Goa.

*Sanjiv M. Gadkar*, Director & ex officio Joint Secretary (W&CD).

Panaji, 6th January, 2011.

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Published and Printed by the Director, Printing & Stationery,  
Government Printing Press,  
Mahatma Gandhi Road, Panaji-Goa 403 001.

PRICE—Rs. 30.00